

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66150 of 2023

Arising Out of PS. Case No.-157 Year-2022 Thana- MUSRIGHRARI District- Samastipur

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RAMESH KUMAR S/O RAM NATH SAH R/O VILLAGE- JOGIMATH
ADHARPUR NIZAMAT, WARD NO. 3, P.S- SAMASTIPUR (MUFFASIL),
DISTT.- SAMASTIPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Musarigharari P.S. Case No. 157 of 2022 dated 12.09.2022, instituted for the offence punishable under Sections 467, 468, 471, 420/34 of the Indian Penal Code and Sections 30(a), 32, 36 and 41 of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Allegation is of recovery of 874.42 litres liquor from the Truck bearing Registration No. JH01DW-0570, Nano Car bearing Registration No. BR21G-6933 and Pickup Van bearing Registration No. BR33AV-8833.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he been falsely implicated in this case. It is further submitted that police arrested the co-accused Umesh



Sah and Mukesh Sah. It is submitted that petitioner was not arrested on the spot. Nothing has been recovered from the conscious possession of the petitioner. It is submitted that petitioner is neither owner nor driver of the aforesaid vehicles in question. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Musarigharari P.S. Case No. 157 of 2022, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-I, Samastipur, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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