

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73152 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- HATHAURI District- Samastipur

PANDAV KUMAR SON OF PAWAN MANDAL RESIDENT OF VILLAGE
- GHIWAHI, WARD NO.10, PARSA, P.S. - HATHAURI, DISTRICT -
SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 10-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Hathauri P.S. Case No. 115 of 2023 instituted under
Section 30 (a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 34.380 litres of
illicit foreign liquor was recovered from the pulsar motorcycle
bearing Reg. no. BR33AW/7089.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. There is no
recovery from the conscious possession of the petitioner. He
further submits that petitioner has no concern with the recovered
motorcycle or with the seized liquor. Petitioner has no criminal



antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge (Excise)- 01, Samastipur/concerned Court in connection with Hathauri P.S. Case No. 115 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973

(Sunil Dutta Mishra, J)

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