

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73405 of 2023

Arising Out of PS. Case No.-223 Year-2023 Thana- PATNA CITY CHOWK District- Patna

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Sunil Ray, aged about 32 years, Male, S/O Late Khuddi Rai, R/O Mohalla-Kila Road, P.S. Chowk, Dist. Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rajeev Kumar, Advocate

For the Opposite Party : Mr. Parmanand Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-11-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Chowk P.S. Case No. 223 of 2023 dated 01.05.2023 registered for the offence punishable under Section 414 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

4. As per the prosecution case, total 60 litres of



country made Chulai liquor was recovered from a Honda Shine Motorcycle near the 'Kauwakhoh Mata Mandir' and two persons were arrested who disclosed the name of the petitioner as supplier of the alleged liquor.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not arrested on the spot. There is no recovery from the conscious possession of the petitioner. The petitioner has no concern with the seized Motorcycle or liquor. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna City in connection with Chowk P.S. Case No. 223 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.



8. The application stands allowed.

(Chandra Prakash Singh, J)

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