

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76694 of 2023

Arising Out of PS. Case No.-373 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

1. Hare Ram Singh @ Hare Ram Kumar Singh Son Of Late Lal Babu Singh Resident Of Village- Asani, Ps- Udwanthnagar, Distt- Bhojpur At Ara
2. Pankaj @ Bhada Son Of Late Ram Bhadur Singh Resident Of Village- Asani, Ps- Udwanthnagar, Distt- Bhojpur At Ara

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. Pankaj @ Bhada Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Udwanthnagar P.S. Case No. 373 of 2023 dated 29.08.2023,
instituted for the offence punishable under Sections 30(a) of the
Bihar Prohibition & Excise (Amendment) Act, 2018.

3. The allegation is of recovery of 410 litres of Mahua
liquor from the agricultural field of Ashok Singh.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and they have been falsely implicated in



this case. It is further submitted that the petitioners have been made accused only on the basis of secret information. It is next submitted that petitioners are neither concerned with the seized liquor nor with the said field. It is further stated that petitioners were not arrested at the spot. Learned counsel further submitted that nothing has been recovered from the conscious possession of the petitioners and petitioners are sought to be prosecuted solely, in the garb of secret information, the genuineness of which has not been disclosed by the prosecution. Lastly, it has been submitted that the petitioners no. 1 and petitioner no. 2 have one case each against them.

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 within a period of six weeks from today, in connection with Udwanthnagar P.S. Case No. 373 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise, Excise Court No-II, Bhojpur, Ara, subject to condition as laid down under Section



438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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