IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72751 of 2023

Arising Out of PS. Case No.-457 Year-2023 Thana- BARAUNI District- Begusarai

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Kunal Kumar, Son Of Bipin Singh, Resident Of Village- Harpur, Ward No 14, Ps- Barauni (REFINERY OP), Distt- Begusarai

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Barauni (Refinery O.P.) P.S. Case No. 457/2023, dated 31.08.2023, instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The allegation is of recovery of 14.25 litres foreign liquor from the agricultural field of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that nothing has been recovered either from conscious possession of the petitioner or from the house of the petitioner. It is further submitted that the agricultural field is a joint property. The said agricultural field was being used by the

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petitioner, his father along with other co-sharers. It is again submitted that the petitioner is a student of B.Sc. Part-1. It is also submitted that the petitioner has no criminal antecedent.

5. Learned APP has opposed the prayer for bail.

6. Having considered 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 each to the satisfaction of the learned Exclusive Special Excise -1st, Begusarai, in connection with Barauni (Refinery O.P.) P.S. Case No. 457 of 2023, subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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