

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73903 of 2023

Arising Out of PS. Case No.-682 Year-2023 Thana- KANTI District- Muzaffarpur

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Pawan Kumar @ Pawan Kumar Sah Son Of Late Vishwanath Sah Resident
Of Village- Kaparpura, Ps- Kanti, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nitu Kumari, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Kati P.S. Case No. 682 of 2023 dated 02.09.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 67.980 litres of illicit foreign liquor was recovered from the house of the apprehended person Sarhu Sah and total 11.340 litres of illicit foreign liquor along with 9 litres of illicit beer was recovered from the house of the apprehended person Manti Devi. It is further alleged that the petitioner was engaged in illegal trade and business of illicit liquor.

4. Learned counsel for the petitioner has submitted



that the petitioner has falsely been implicated in this case. The name of the petitioner was disclosed by the apprehended persons. Nothing has been recovered from the possession of the petitioner rather the recovery has been made from the co-accused persons. It is further submitted that the petitioner has no concern with the alleged recovery. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. 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 bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Muzaffarpur in connection with Kanti P.S. Case No. 682 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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