

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10187 of 2024

Arising Out of PS. Case No.-965 Year-2023 Thana- KANTI District- Muzaffarpur

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Sujeet Kumar @ Bittu Thakur son of Gopal Thakur Village- Repura
Bishundatpur Ps- Karja Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2.The petitioner is apprehending his arrest in connection with Kanti P.S. Case No. 965/2023 registered for the offences punishable under Sections 30(a), 32(2), 32(3), 36, 41(1), 41(2) of the Bihar Prohibition and Excise Act, 2022.

3. As per prosecution case, altogether 5670 litre foreign liquor was recovered from a truck and four Pick-up vehicles in question. It is further alleged that co-accused Deepak Kumar was apprehended on spot who disclosed the name of petitioner and others who succeeded in fleeing away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the FIR and he has falsely been implicated in this case. Petitioner was not apprehended on spot and his name has surfaced in this case upon the disclosure of co-accused Deepak Kumar. Except disclosure, there is nothing on record to connect the present petitioner with the alleged occurrence. Petitioner is not the owner of any of the vehicles in question. In the light of the given facts and circumstances, no case is made out against the petitioner under the provision of Bihar Prohibition and Excise Act. Petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court No.-II, Muzaffarpur in connection with Kanti P.S. Case No. 965/2023, subject to the conditions as laid down under



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

7. This application stands allowed.

(Alok Kumar Pandey, J)

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