

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19349 of 2024

Arising Out of PS. Case No.-301 Year-2023 Thana- AMNAUR District- Saran

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Sadhu Rai @ Mithilesh Kumar S/o Shambhu Rai R/o vill - Nandan Kaituka,
P.s. - Maker, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-03-2024 Heard learned counsel for the petitioner and

learned counsel for the Additional Public Prosecutor for the

state.

2. The petitioner apprehends his arrest in
connection with Amnaur P.S Case No. 301 of 2023
instituted under Section 30(a), 33, 34 of the Bihar
Prohibition & Excise Amendment Act.

3. As per the prosecution case, total 144 litres of
illicit foreign liquor was recovered from cow-shed (Bathan)
of the co-accused Pankaj Singh and 880 liters of spirit was
recovered from the motorcycle.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. The name
of the petitioner has sprung up in the confessional statement



of the co-accused, Umashankar Sah, who was arrested on the spot. The petitioner was neither arrested on the spot nor any incriminating article has been recovered from his conscious possession. The petitioner has two criminal antecedents mentioned in para-3 of the petition.

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the parties, in the event of his 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 Judge Excise- Saran at Chapra/ concerned court in connection with Amnaur P.S. Case No. 301 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

N.K/-

(Chandra Prakash Singh, J)

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