

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21883 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- BIHAR District- Nalanda

Tipu Kumar @ Gaurav Kumar S/O Sunil Sao @ Sunil Kumar R/O Village-
Jhing Nagar, P.S- Bihar, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Adv

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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

ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the state.

2. The petitioner apprehends his arrest in connection with Excise Case No. 150 of 2024 registered for the offence punishable under Section 30(a), of the Bihar Prohibition & Excise Amendment Act.

3. As per the prosecution case, 700 ml of foreign liquor was recovered from the Mahadeva Hall (Room No. 1), where five persons were consuming liquor.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. The name of the petitioner was sprung up on the basis of disclosure of



the apprehended co-accused persons. No incriminating article has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C. The petitioner has two criminal antecedents.

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, 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Nalanda at Bihar Sharif / concerned court in connection with Excise Case No. 150 of 2024 arising out of Bihar P.S.Case No. 70 of 2024. subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Chandra Prakash Singh, J)

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