

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25415 of 2024

Arising Out of PS. Case No.-298 Year-2020 Thana- BOCHAHAN District- Muzaffarpur

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ASHOK RAI SON OF JAINANDAN RAI RESIDENT OF VILLAGE -
KARMANIYA, P.S. - BOCHAHAN, DISTRICT - MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. Md. Shakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bochahan P.S. Case No. 298 of 2020 instituted for the offence under Sections 272, 273, 120(B) of the Indian Penal Code and sections 30(a), 32(ii), 41(a) of the Bihar Prohibition and Excise Act.

3. It is a case of recovery of huge quantity of liquor i.e. 7606.125 from several vehicles stands in premises of Arjun Memorial School.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner is said to be owner of one



of the seized vehicle but he sold out the said commercial pick up to one Ranjit Kumar vide sale letter dt. 10.11.2016. the petitioner has no concern with the recovery of liquor. Neither he was arrested on spot nor any incriminating article has been recovered from his conscious possession. The petitioner has also got no criminal antecedents.

5. Learned APP appearing for the state has opposed the prayer of anticipatory bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bochahan P.s. Case No. 298 of 2020, he will be enlarged on 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 Exclusive Special Judge Excise Court No.3, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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