

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28964 of 2024**

Arising Out of PS. Case No.-96 Year-2024 Thana- Excise P.S. District- Aurangabad

Brajesh Kumar, Son of Rampyare Singh, Resident of village - Shankar Bigha,  
P.S. - Daudnagar, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Aman Vishal, Advocate  
For the Opposite Party/s : Mr. Narsingh Tanti, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

3      20-05-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Daudnagar Excise P.S. Case No.96 of 2024 instituted under Sections 30(a), 30(c), 30(d) and 32 (3) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the informant on the basis of secret information conducted raid at poultry farm of the petitioner from where 120 litres spirit, 4.485 litres Indian made foreign liquor, 2.4 litres country made liquor and other articles were recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely on the basis of suspicion. The petitioner is not the



owner of the poultry farm from where the recovery has been made. Petitioner has no concern with the seized liquor. Petitioner has no criminal antecedent and he undertakes to cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, 2<sup>nd</sup>, Aurangabad (Bihar) in connection with Daudnagar Excise P.S. Case No.96 of 2024, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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