

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33370 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- HALAI District- Samastipur

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Guddu Kumar S/O- Sanjay Chatiya @ Sanjay Kumar Chatiya R/O- Village
Mahipura, Mahpura , P.S- Jandaha, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Section 272/273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per F.I.R., total 37.920 liters of illicit foreign liquor has been recovered from a plastic sack loaded on a motorcycle.

4. It is submitted on behalf of petitioner that petitioner is neither owner nor driver of the alleged motorcycle. No incriminating article has been recovered from the conscious possession of petitioner and has got no concern with the alleged recovery of liquor. Petitioners claim clean antecedent.



5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the nature of accusation and clean antecedent, let the above named petitioner, in the event of arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise – II, Samastipur in connection with Halai P.S. Case No. 05 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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