

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39279 of 2024

Arising Out of PS. Case No.-240 Year-2022 Thana- Excise P.S. District- Supaul

Bandhan Kumar @ Vandan Kumar S/O Gajendra Kamat @ Rajendra Kamat
R/O Ward No. 24, Supaul Municipal Council, P.S- Supaul, Distt.- Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Excise P.S. Case No. 240 of 2022, instituted for the offence
punishable under Section 30(a) and 45 of the Bihar Prohibition
and Excise (Amendment) Act, 2018.

3. The allegation is of recovery of 19.500 litres of
illicit wine from the possession of co-accused Aryan Kumar.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that the petitioner was standing with a bag
from which 19.500 litres of foreign wine was recovered. It is
apparent from seizure list that there is no name mentioned in the
seizure list as from whom such articles were recovered and there



is no signature of the petitioner on the seizure list. The signature mentioned on the seizure list is of co-accused Aryan Kumar, who is full brother of the petitioner. The said Aryan Kumar has been arrested at the spot. It is submitted that nothing has been recovered from the conscious possession of the petitioner. Lastly, it has been submitted that he has one criminal case against him in which he is on bail.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Supaul Excise P.S. Case No. 240 of 2022, he shall be released on anticipatory 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 Court No. 2, Supaul, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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