

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34180 of 2024**

Arising Out of PS. Case No.-139 Year-2024 Thana- CHHATAUNI District- East Champaran

Kunal Kumar @ Kunal Singh @ Golu Singh son of Late Awadhesh Singh @  
Awadhesh Kumar Resident of Village- Mathiya Zirat, P.S.- Chhatauni, dist.-  
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      02-05-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner apprehends arrest in Chhatauni P.S.  
Case No. 139 of 2024, registered under Section 30(a) of the  
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 130.5 liters  
liquor was recovered from the house of co-accused Amrita Devi.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. The petitioner has got no concern with the alleged  
recovery of liquor. The petitioner is not the owner of the seized  
house. Name of the petitioner has transpired on the basis of  
confessional statement of co-accused Amrita Devi which has no



evidentiary value. The petitioner has got three criminal antecedents in which the petitioner is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 20.04.2024 passed in Cr. Misc. No. 29942 of 2024. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chhatauni P.S. Case No. 139 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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