

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35912 of 2024**

Arising Out of PS. Case No.-17 Year-2024 Thana- GOVINDPUR District- Nawada

GURU KUMAR @ AZAD RAJWANSHI @ SHANKAR KUMAR SON OF
NARESH RAJWANSHI RESIDENT OF VILLAGE - MAHAWARA, P.S. -
GOVINDPUR, DISTRICT - NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr.Arun Kumar, APP

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

ORAL ORDER

2 16-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Govindpur P.S. Case No. 17 of 2024 instituted for the
offences under Sections 30(a), 41 of the Excise Act.

3. Prosecution story, in short, is that total 255 litres of
illicit liquor was recovered which was kept under the bush.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Petitioner has no concern with the



alleged recovery of liquor rather the recovery has been made from an open place which is accessible to local people. There is no compliance of Section 100 of the Cr.P.C. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six months from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Govindpur P.S. Case No. 17 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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