

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36791 of 2024

Arising Out of PS. Case No.-282 Year-2023 Thana- KHANPURA District- Samastipur

Navin Kumar Son of Mantun Ray Resident of Village- Pokhraise, P.S.-
Muffasil, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, 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 Khanpur P.S. Case No. 282 of 2023 instituted for the
offences under Sections 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 53 litres
of liquor was recovered from a car.

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. Learned counsel further submitted
that petitioner is neither the owner nor the driver of the vehicle.



The petitioner has got no concern with the alleged recovery of liquor. Learned counsel further submitted that petitioner has inimical terms with the co-accused Avkash Kumar from whose possession the alleged recovery has been made. The petitioner has no criminal antecedent. There is no compliance of Section 100 of the 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 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 Khanpur P.S. Case No. 282 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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