

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38791 of 2024

Arising Out of PS. Case No.-669 Year-2024 Thana- Excise P.S. District- East Champaran

Arjun Kumar S/o Mahendra Rai R/o vill - Bakhari Khajoori, P.S. - Dhaka,
Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Motihari Excise P.S. Case No. 669 of 2024 lodged on
16.04.2024, under Section 30(a) of the Bihar Prohibition and
Excise Act, 2022.

3. As per the prosecution, FIR has been lodged against
the petitioner and a total recovery is 180 litres of illicit liquor
has been subject matter of the present case.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that the antecedent of the petitioner is clean and he is in
custody since 17.04.2024. Learned counsel for the petitioner
further submits that the recovery has not been made from his



conscious possession rather police has apprehended him when the real accused person has fled away and petitioner was just a passer by.

5. Learned counsel for the state opposes the prayer for bail and submits that petitioner has been arrested on spot.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be granted bail, but only after framing of charge, if not framed, on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Excise Court No.02, East Champaran at Motihari, in connection with Motihari Excise P.S. Case No. 669 of 2024, subject to the conditions as laid down U/S 437(3) Cr.P.C.

(Dr. Anshuman, J)

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