

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 37766 of 2024

Arising Out of PS. Case No.-195 Year-2024 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Vinod Sah @ Bindu Son of Ramchandra Sah Resident of Village- Maina Gali,
Shukla Road Chaturbuj Asthan , P.S- Mithanpura, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raju Kumar
For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara

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

ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in
connection with Muzaffarpur Town P.S. Case No. 195 of 2024
instituted for the offences under Section 30(a) of the Bihar
Prohibition and Excise Amendment Act.

3. As per prosecution case, in short, is that, 266.76
liters of liquor was recovered from a *Tempo*.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. The name of the petitioner has come into
light on the basis of confessional statement of apprehended co-
accused Pradeep Kumar, which has got no evidentiary value in



the eyes of law. Petitioner has no concern with the alleged recovery of liquor. Petitioner is neither the owner nor the driver of the seized vehicle. No incriminating article has been recovered from the conscious possession of the petitioner. It is next submitted that the petitioner has got two criminal antecedents. Petitioner has no knowledge regarding the alleged occurrence. There is no compliance of Section 100 of the Cr.P.C.

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, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Muzaffarpur Town P.S. Case No. 195 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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