

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38039 of 2024**

Arising Out of PS. Case No.-97 Year-2024 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

Abhishek Kumar Son of Paras Sah Resident of Village- Gobarsahi, P.S- Sadar,
Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Mukesh Kumar Singh

**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 Sadar P.S. Case No. 97 of 2024 instituted for the offences under Sections 414, 420, 467, 468, 471 of the Indian Penal Code and Sections 30(a), 36, 41(1) of the Bihar Prohibition and Excise Amendment Act.

3. The prosecution case, in short, is that total 614.04



liters of illicit liquor has been recovered from a place behind the boundary wall of Binod Singh and from the Litchi orchard of Suresh Rai.

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 merely on the basis of suspicion. Petitioner has no concern with the alleged recovery of liquor and the place of occurrence does not belong to the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. He further submitted that the other co-accused has already been granted anticipatory bail by this Court vide order dated 26.04.2024 passed in Cr. Misc. No. 32362 of 2024. It is next submitted that the petitioner has no criminal antecedent. 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 Sadar P.S. Case No. 97 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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