

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43483 of 2024

Arising Out of PS. Case No.-882 Year-2023 Thana- Excise P.S. District- Nawada

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Guddu Kumar S/O Naresh Prasad Yadav Resident of Village- Panti, P.S.
Akbarpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Manmohan Kumar, Advocate
For the State : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a) and 56(2)II of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 9 litres beer has been recovered from a bag of co-accused Ranjit Rabanshi who was riding as a pillion rider with this petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that no incriminating article has been recovered from the conscious possession of this petitioner and he has been made an accused in this case merely because he happens to be registered owner of the vehicle in question. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has opposed the prayer



for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, clean antecedents and the fact that no incriminating article has been recovered from the motorcycle of this petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court Excise- 2, Nawada, in connection with Nawada Excise P.S. Case No. 882 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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