

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41242 of 2024

Arising Out of PS. Case No.-408 Year-2024 Thana- Excise P.S. District- Aurangabad

Navab Kumar @ Navav Paswan Son Of Baijnath Paswan Resident Of Village
- Pawai, P.S. - Muffasil, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with G.R. No. 767 of 2024 arising out of Excise P.S. Case No. 408 of 2024 instituted under Section 30(a) of the Bihar Prohibition & Excise Act, 2018 and Sections 41(1) and 41(2) of the Bihar Prohibition & Excise Act, 2016.

3. As per the prosecution case, 6.489 litres of country made liquor had been recovered from the bag of co-accused



Priyanshu Kumar and on his identification 101.760 litres country made liquor were recovered below a palm tree. It is alleged that petitioner had supplied the said liquor.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case due to one criminal antecedent and except the disclosure statement made by the co-accused, namely, Priyanshu Kumar there is no incriminating material found against the petitioner. He further submits that the petitioner has no concern with the alleged recovery of liquor. It is also submitted that there is no proper compliance of Section 100 of Cr. P.C. He further submits that petitioner undertakes to cooperate in the trial and investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge of Excise-02, Aurangabad or Concerned



Trial Court in connection with G.R. No. 767 of 2024 arising out of Excise P.S. Case No. 408 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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