

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42684 of 2024

Arising Out of PS. Case No.-109 Year-2024 Thana- BELHAR District- Banka

Mithun Shekh @ Md. Mithun Shekh S/o Karim Shekh, R/o vill - Gorgama,
P.S. - Belhar, Dist. - Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Om Prakash Singh, Advocate.

For the Opposite Party/s : Ms. Sucheta Yadav, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Belhar P.S. Case No.109 of 2024 instituted under Section
30 (a) of the Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, there is recovery of 64
litre illicit country made liquor in plastic sack from the wheat
field.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case due to village politics. He further submits that the place of
occurrence does not belongs to petitioner nor the petitioner has
any concern with the seized liquor. Learned counsel submits that
petitioner has two criminal antecedents, however, the same does



not belongs to Excise Act. He further submits that petitioner is ready to cooperate in the 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 Additional District & Sessions Judge-II, Banka -cum- Special Judge Excise Court-I, Banka in connection with Belhar P.S. Case No.109 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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