

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45579 of 2024**

Arising Out of PS. Case No.-222 Year-2022 Thana- Excise P.S. District- Kishanganj

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Sachin Kumar Das @ Sachin Das, Son of Late Vijay Das Village- Raipur  
Wardno. 09, P.S.-Paharkatta (Arrabari O.P.),Dist.- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

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**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**

ORAL ORDER

2      24-07-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection  
with Special Case No. 1133 of 2022 arising out of Madya  
Nisedh P.S. Case No. 222 of 2022 instituted under Section 30(a)  
of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, on the basis of secret  
information, the raid was conducted on the house of the  
petitioner and 7.920 litres of illicit foreign liquor was recovered



from the house. It is also alleged that the petitioner fled away from the spot during the raid and the wife of the petitioner was arrested.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner works outside Bihar to earn his livelihood and was not present at the time of the occurrence and thus he had no knowledge with respect to the seized liquor. Learned counsel submits that except the suspicion, there is nothing material against the petitioner. He further submits that petitioner has one criminal antecedent and he undertakes to cooperate in the investigation and the trial.

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 and Sessions Judge-IV, Special Judge, (Excise-II), Kishanganj / Concerned Trial Court in



connection with Special Case No. 1133 of 2022 arising out of  
Madya Nisedh P.S. Case No. 222 of 2022, 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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