

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43692 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- KALYANPUR District- Samastipur

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Fulbabu Kumar @ Ful Babu Kumar S/o Shobhit Sah @ Sobhit Sah R/o
Village-Singhiya, P.S.-kalyanpur, District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

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

2. The petitioner apprehends arrest in Kalyanpur P.S.
Case No. 85 of 2024, registered under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that, 31.5 liters
liquor was recovered from tempo.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is further
submitted that the petitioner is neither owner nor driver of the



tempo in question. Name of the petitioner has transpired in this case on the basis of disclosure made by local people. The petitioner has got one criminal antecedent in which he has been granted anticipatory bail.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kalyanpur P.S. Case No. 85 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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