

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44579 of 2024

Arising Out of PS. Case No.-208 Year-2024 Thana- PAKARIBARAW District- Nawada

Satish Kumar Son of Pyare Choudhary R/O Vill.- Pakri, P.S.- Pakri Barawan,
Dist.- Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

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

2. The petitioner apprehends arrest in connection with Pakribarawan P.S. Case No. 208 of 2024 dated 04.05.2024, instituted for the offence punishable under Sections 25 (1-b) (a), 26/35 of the Arms Act and under Section 30(a) of The Bihar Prohibition and Excise Act, 2016.

3. The allegation is of recovery of 100 litres country made liquor from metalled road in front of house of Kapil Yadav and Musho Yadav. A country made pistol along with four motorcycles has also been recovered from the possession of other co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that petitioner has not been arrested at the spot. One co-accused Pawan Kumar was arrested at the spot, who disclosed the name of the petitioner, and only on the basis of disclosure made by him, the petitioner has been made accused in this case. It is submitted



that nothing has been recovered from the conscious possession or from the house of the petitioner. Petitioner has no concern with the illicit liquor or recovered motorcycles. It is also submitted that no incriminating article has been recovered from the conscious possession of the petitioner. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Pakribarawan P.S. Case No. 208 of 2024, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-I, Nawada, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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