

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45561 of 2024

Arising Out of PS. Case No.-702 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

Abhaya Kumar Ram @ Abhaya Ram Son Of Nathuni Ram Resident Of
Village- Biropur, P.S. - Hajipur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
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 Hajipur Sadar P.S. Case No. 702 of 2023 registered for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Amendment Act, 2018.

3. Prosecution case in short is that there is recovery of
total 827.640 liter foreign liquor from the house of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
It is submitted that petitioner is neither apprehended on the spot



nor wine was recovered from his possession or from his house. Petitioner has no concerned with the recovered liquor. It is submitted that the house from where recovery is made is joint property. It is next submitted that there is no compliance of Section 100 of the Cr.P.C. It is lastly submitted that petitioner is a man of clean antecedent.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or 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 the learned court below where the case is pending/successor court in connection with Hajipur Sadar P.S. Case No. 702 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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