

Arising Out of PS. Case No.-214 Year-2024 Thana- SIRDALA District- Nawada

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- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-08-2024 Heard learned counsel appearing on behalf
of the petitioner and learned Additional Public Prosecutor
appearing on behalf of the State.

2. The accused/petitioner is named in the F.I.R. and apprehended his arrest in connection with Sirdalla P.S. Case No. 214 of 2024 registered for the offences punishable under Sections 30 (a), (c) and 41 of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be engage in illegal trading/manufacturing of illicit liquor, where, there is recovery of 51 litres of IMFL/country made



liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner was not apprehended on spot and also not connected in any manner with the alleged motorcycle from where recovery of alleged illicit liquor was made. It is also submitted that petitioner found involved in one more criminal case, where he is on bail and moreover, seizure list appears doubtful being not supported by independent witnesses rather by police personnels.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of the facts and circumstances and by taking note of the fact as recovery of illicit liquor appears doubtful from the conscious physical possession of this petitioner, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive



Special, Excise Court-1, Nawada/concerned Court below
where the case is pending in connection with Sirdalla P.S.
Case No. 214 of 2024 subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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