

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54897 of 2024

Arising Out of PS. Case No.-304 Year-2024 Thana- BETTIAH CITY District- West
Champaran

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Bittu Kumar, Son of Chotte Lal Patel, Resident of Village-Chargaha, Ward
No.- 04, P.S.-Bettiah, District- West Champaran, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mayank Mohan, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and
apprehending his arrest in connection with Bettiah Town P.S.
Case No.304 of 2024 registered under Sections 30(a) of the
Bihar Prohibition and Excise Act, 2016.

3. Allegation against the petitioner is to engage in
illegal trade/manufacturing of illicit liquor, where there is
recovery of 30 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel for the
petitioner that petitioner is not connected in any manner with
alleged motorcycle from which, the recovery of 30 liters of



illicit liquor was made. It is further submitted that petitioner was not apprehended on spot and, therefore, it can be said safely that recovery of illicit liquor was not made from his possession, where his name transpired on the basis of statement of unknown nearby residents/people. While concluding argument, it is submitted that petitioner found involved in one more criminal case, where he is on bail.

5. Learned APP opposes the prayer for grant of anticipatory bail.

6. In view of aforesaid facts and circumstances, as recovery of illicit liquor not appears to be made from conscious physical possession of this petitioner, accordingly, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No.304 of 2024, subject to the conditions as laid down



under Section 438(2) of the CrPC/under Section 482(2) of
the BNSS.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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