

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55350 of 2024

Arising Out of PS. Case No.-218 Year-2023 Thana- BAUNSI District- Banka

Mithun Kumar Son of Chandra Kishore Yadav R/o Village- Turki, P.S.- Simri
Bakhtiyarpur, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bounsi P.S. Case no. 218 of 2023 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 138.240 liters of country made liquor from a vehicle which belongs the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case only because he is the registered owner of the seized



vehicle from where the recovery of liquor has been made. He was not apprehended on spot. Nothing has been recovered from the conscious possession of the petitioner and he has no concern with the alleged liquor.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bounsi P.S. Case no. 218 of 2023, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Banka subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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