

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57513 of 2024

Arising Out of PS. Case No.-73 Year-2023 Thana- GARKHA District- Saran

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Panchi Ray @ Panchi Lal Ray son of Late Ram Ayodhaya Ray R/o- Pitta
Ghat Jharu Tola Ps- Garkha Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Garkha P.S. Case No. 73 of 2023 dated 12.02.2023, instituted
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The allegation is of recovery of 63.21 litres foreign
liquor from under constructed house of the petitioner.

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 on spot verification by the police, one
person tried to flee away from the under constructed house of
the petitioner and managed to escape from there. It is submitted
that nothing has been recovered either from conscious
possession of the petitioner or from his residential house. The
recovery of the foreign liquor is alleged to have been made from



under constructed house of the petitioner where nobody resides. It is submitted that petitioner used to work as a loader in A.S.P. Private Ltd. since last four years at Kolkata. It is also submitted that the petitioner resides in his old house along with his family members. It is submitted that semi constructed house of the petitioner is easy to access for any person. 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 Garkha P.S. Case No. 73 of 2023, 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 First Exclusive Special Excise Court, Saran at Chhapra, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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