

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57030 of 2024

Arising Out of PS. Case No.-41 Year-2024 Thana- BANNUBAGICHA District- Lakhisarai

Bablu Kumar @ Bablu @ Bablu Yadav S/o- Anil Yadav @ Karu Yadav
Village- Barare Ps- Bannu Bagicha Dist- lakhisarai Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indradeo Yadav, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-09-2024 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 Bannu Bagicha P.S. Case no. 41 of 2024 instituted for the offence under Section 30 (a) of Bihar Prohibition and Excise Amendment Act, 2018.

3. As per allegation case, total 90 liters of country made liquor was recovered from two motorcycles. The petitioner is owner of one of the motorcycles.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has clean antecedent. He further submits that petitioner's father had given the motorcycle to one Vipin Kumar for his mother's treatment from the doctor, from whom the said liquor was recovered. Petitioner was neither arrested on spot nor anything was recovered from his conscious possession. There



is nothing against the petitioner. Provision of Section 100 CR.P.C. has not been followed by the seizure team while preparing the seizure list as both the seizure list witnesses are police officials. He undertakes to cooperate in the investigation and trial of this case.

5. Learned APP appearing for the State has opposed the prayer of Bail.

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 Bannu Bagicha P.S. Case no. 41 of 2024, 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 District and Sessions Judge-V-cum-Exclusive Special Excise Court-02, Lakhisarai subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Dutta Mishra, J)

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