

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65203 of 2024

Arising Out of PS. Case No.-1 Year-2023 Thana- KANHAULI District- Sitamarhi

Chunnu Kumar @ Aman Kumar S/o- Anand Mahto Village- Kanhauli PS-
Kanhauli Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Kanhauli P.S. Case No. 01 of 2023 instituted under Section
30(a) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, 18 litres of Nepali Saufi
liquor and 4.320 litres of Nepali foreign liquor was recovered
from a bag kept in the motorcycle.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He further submits that nothing has been recovered from
the conscious possession of the petitioner or from his house.
Learned counsel also submits that the petitioner has no concern
either with the recovered wine or the alleged motorcycle and the



petitioner has been implicated in this case only on the basis of suspicion. The similarly situated accused person, namely Prince Kumar has already been enlarged on anticipatory bail by this Court *vide* order dated 28.08.2023 passed in Cr. Misc. No. 56547 of 2023. The petitioner has no criminal antecedent and he undertakes to co-operate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Excise Court No.1, Sitamarhi / Concerned Trial Court in connection with Kanhauli P.S. Case No. 01 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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