

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61599 of 2024**

Arising Out of PS. Case No.-215 Year-2024 Thana- TURKAULIYA District- East
Champaran

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Shambhu Ram S/o- Late Kashi Ram Village- Nariyarawa Ps-Trukauliya
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Dhiraj Kumar, Advocate Mr. Rajesh Kumar, Advocate
For the State	:	Ms. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-09-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 11 litres country made liquor has been recovered from behind the house of this petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has falsely been implicated in the present case. Nothing has been recovered from conscious possession of the petitioner. The alleged recovery is from an open place, which is accessible to one and all. Petitioner has got no criminal antecedents.



5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, fact that nothing has been recovered from possession of this petitioner and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. 1, Motihari, East Champaran, in connection with Turkauliya P.S. Case No. 215 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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