

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63576 of 2024

Arising Out of PS. Case No.-629 Year-2022 Thana- ARARIA District- Araria

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Tin Kouri Sah @ Tin Kauri Sah S/o Arjun sah Resident of village- Bhelaganj
Pathrabari, ward no 9, police station - Jokihat, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Adv

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

2. The petitioner is apprehending arrest in connection with Araria P.S. Case No. 629 of 2022 lodged on 22.07.2022 for offences punishable under Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, F.I.R. has been lodged against two named accused persons with an allegation that there is recovery of 1024 Litres of Corex cough syrup from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that petitioner has got clean antecedent. He further submits that petitioner is not named in the F.I.R. and petitioner's



name has figured in this case only by virtue of the confessional statement of the co-driver. He further submits that the alleged recovery has been made from the truck which is apparent from the seizure list and petitioner is not in anyway related to the truck. He is neither the owner nor the *Khallasi*. He further submits that his name has not been disclosed by any of the witness in the F.I.R. but subsequently, his name has come during course of the investigation.

5. Learned APP for the State opposes the prayer for bail .

6. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs. 30,000/- (Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-I, Araria subject to the condition as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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