

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73863 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- DHANKUND District- Banka

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Nawin Rai @ Nawin Kumar @ Nawin Yadav Son of Ravindra Yadav @
Ravindra Rai Resident of Village - Dabhaich, Police Station - Tisiauta,
District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nidhi Anand, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Dhankund P.S. Case No. 26 of 2024 instituted for the
offences under Sections 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 5097.6
litres of illicit liquor has been recovered from truck.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. The name of the petitioner



transpired in this case on the basis of confessional statement of the co-accused person. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle. The petitioner has got no knowledge and concern with the alleged recovery of liquor. The petitioner has one criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dhankund P.S. Case No. 26 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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