

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76072 of 2024

Arising Out of PS. Case No.-285 Year-2024 Thana- JAGDISHPUR District- Bhojpur

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Guddu Kumar @ Guddu Sharma, S/o Raghunath Vishwakarma @ Raghunath Vishwkarma, R/o Village/Mohalla – Jagdishpur, Ward no.08, Jhanjhariyan Pokhara, P.S - Jagdishpur, District - Bhojpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar, Advocate

For the Opposite Party/s : Mr.Md. Iftekhhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 22-11-2024 Heard learned counsel for the petitioner and Mr. Md. Iftekhhar Mahmood, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Jagdishpur P.S. Case No.285 of 2024 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. The case of the prosecution is that from the possession of Golu Kumar, Rohit Kumar and Satish Patel, altogether 1 litre 125 ml. Foreign liquor was recovered. These apprehended accused persons disclosed the name of this petitioner.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He was not apprehended on the spot. Nothing incriminating article has been recovered from his conscious possession. He has got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

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 Jagdishpur P.S. Case No.285 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 Exclusive Special Excise Court No.1st, Bhojpur at Ara, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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