

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78339 of 2024

Arising Out of PS. Case No.-233 Year-2021 Thana- GORIAKOTHI District- Siwan

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Prem Kumar @ Prem Bind @ Prem Bin S/O Parmeshwar Bin @ Parameshwar
Resident of Village - Chhitauli, Nawka Tola, P.S.- Gorea Kothi, District -
Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 29-11-2024 Heard learned counsel for the petitioner and Md.
Nazir Ansari, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Gorea Kothi P.S. Case No. 233 of 2021 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The case of the prosecution is that altogether 10 liters of country made liquor was recovered from Bansbari.

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. It has been argued by the learned counsel for the petitioner



that nothing has been recovered from his possession. His name was disclosed by local *Chowkidar* and villager. A statement has been made in para-3 of this petition that the petitioner has criminal antecedent of two cases of similar nature.

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 **with condition that the petitioner shall not indulge in similar nature of offences in future**. 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 Gorea Kothi P.S. Case No. 233 of 2021, 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 judge Excise, Court No.-1, Siwan subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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