

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79906 of 2024

Arising Out of PS. Case No.-33 Year-2024 Thana- BIRUPUR District- Lakhisarai

Abhimannu Kumar S/o Late Arbind Singh Resident of village- Birupur, PS-
Birupur distt Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Parmod Kumar, Adv.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-12-2024 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 Birupur P.S. Case no. 33 of 2024 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act (Amendment), 2022 and 272 and 273 of the Indian Penal Code.

3. The case of the prosecution is that altogether 50 liters of country made liquor was recovered on the field. It is not disclosed in the FIR as to from whom the alleged liquor was recovered. Police got secret information that the petitioner had kept the illicit liquor over there.



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 submitted by the learned counsel for the petitioner that seizure has been made from an open place. Nothing has been recovered from the possession of this petitioner. A statement has been made in para-3 of this petition that the petitioner has got criminal antecedent of one case which is 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 Birupur P.S. Case no. 33 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 Court of Additional Sessions Judge-IVth-



cum-Special Judge, Excise, Lakhisarai subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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