

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83403 of 2024

Arising Out of PS. Case No.-757 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

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Vinod Kumar, Son of Ramnewash Ram @ Ram Ashish Ram, R/O-Village-
Bagadhi P.S.- Ramgadh, District- Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Excise P.S. (Bhabua) Case No. 757 of 2024 instituted under Sections 30 (a), 32 (i), 32 (iii), 36, 41 (i), 41(ii) and 44 of Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution case, total 33.600 litres of illicit country made liquor was recovered from the motorcycle bearing Registration No. BR45K5380. The allegation against the petitioner is that he managed to flee away from the spot.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case only on the basis of confessional statement of co-accused Rohit Kumar. There is no recovery made from physical or conscious



possession of the petitioner. He was not present at the place of occurrence. He has no concern with the seized liquor or motorcycle. Petitioner has no criminal antecedent and he undertakes to cooperate in the investigation of the present case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge, Excise II, Kaimur at Bhabua, in connection with Excise P.S. (Bhabua) Case No. 757 of 2024, subject to the conditions laid down in Section 482 (2) of the BNSS.

(Sunil Dutta Mishra, J)

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