

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83433 of 2024

Arising Out of PS. Case No.-380 Year-2024 Thana- Excise P.S. District- Nawada

Kamlesh Prasad Son of Late Jhari Prasad R/O-Village- Baseria, P.S- Sirdala,
District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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. Case No. 380 of 2024, instituted under Sections 30(a)(c) & 41(i) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 120 litre country made liquor, some manufacturing articles and raw materials from near the drainage. It is alleged that petitioner fled away from the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to three criminal antecedents. Except the disclosure statement made by the co-accused persons, there is no material against the petitioner. Petitioner has no concern with the seized



liquor. There is no recovery of incriminating article from the conscious possession of the petitioner. Petitioner undertakes to co-operate in the investigation and trial.

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

6. Considering the facts and circumstances of the case and submission 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 each to the satisfaction of learned Exclusive Special Excise Court-2, Nawada in connection with Excise P.S. Case No. 380 of 2024, subject to the conditions laid down in Section 482 (2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J)

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