

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83137 of 2024

Arising Out of PS. Case No.-372 Year-2024 Thana- BAIRIYA District- West Champaran

Bullet @ Bullet Kushwaha @ Sanoj Kuswaha @ Bullet Kushvaha @ Sanoj Kushvaha S/o- Suruj Mahto Resident of Village- Nayaka Tola Koiripatti ward No 8 PS- Bairiya, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Adv.

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and Mr. Upendra Kumar, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Bairiya P.S. Case No. 372 of 2024 instituted for the offences under Sections 274, 275 and 3(5) of the B.N.S and Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that the police had secret information that the petitioner along with others was carrying illicit liquor on a Car, when they reached on the bank of *Gandak* river, three persons started fleeing. It is further alleged that no one could be apprehended from the said Car, altogether 319.680 liters of foreign liquor was recovered. The



name of the petitioner has come into light on the disclosure made by local villager.

4. Learned counsel for the petitioner has submitted that petitioner is neither the owner nor the driver of the seized car in question. Petitioner has no concern with the alleged recovery of liquor. Nothing was recovered from his possession. Moreover, the petitioner having no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the learned Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-1st, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 372 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashok Kumar Pandey, J)

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