

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83384 of 2024

Arising Out of PS. Case No.-321 Year-2021 Thana- NADI P.S. District- Patna

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Kallu Miyan @ Kallu Ahmad @ Kallu Ahamad, Son of Late Rafi Ahmad @
Md Rafi Miyan, Resident of Vill- Sabalpur, P.S.- Nadi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, 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 Nadi P.S. Case No. 321 of 2021 instituted under Section 30
(a) of Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, total 6.75 litres of
illicit liquor was recovered from the plastic sack at Radha Brick-
kiln near village Sabalpur and the allegation against the
petitioner is that he is involved in selling the illicit liquor and on
raid he fled away from the spot.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case due to one
criminal antecedent. 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. Petitioner has one criminal antecedent in which he is on bail 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, Patna City, in connection with Nadi P.S. Case No. 321 of 2021, subject to the conditions laid down in Section 482 (2) of the BNSS.

(Sunil Dutta Mishra, J)

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