

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 85576 of 2024**

Arising Out of PS. Case No.-193 Year-2024 Thana- EXCISE UDAKISHUNGANJ District-
Madhepura

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1. Pramod Kumar Singh S/o- Late Ganesh Prasad Singh @ Gaounna Singh
Village- Alamnagar South W.No-11, Ps- Alamnagar Dist- Madhepura
 2. Banti Kumar S/o- Vijay Mandal Village- Chandpur Ps- Gogri Dist- Khagari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad
For the Opposite Party/s : Mr. Suresh Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER**

2 13-12-2024 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Udakishunganj P.S. Case no. 193 of 2024 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from Alam Nagar main market, altogether 163.25 liters of foreign liquor was recovered. The name of these petitioners were disclosed by passers by.



4. Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is also submitted that nothing has been recovered from the possession of these petitioners. The seizure has been made from an open space which does not belong to petitioners.

5. In contra, learned APP appearing for the State and learned counsel for the informant have opposed the prayer of bail of the petitioners. Petitioner no. 1 is having criminal antecedent of one case of similar nature whereas petitioner no. 2 has criminal antecedent of one case.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is **not inclined to enlarge petitioner no.1 namely, Pramod Kumar on bail whereas petitioner no. 2 namely, Banti Kumar is granted bail.** 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 Madhepura Excise P.S. Case No. 193 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 Additional Sessions Judge-7th-cum-



Special Judge-2nd, Madhepura subject to the conditions as laid
down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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