

Arising Out of PS. Case No.-307 Year-2024 Thana- PIPRAKOTHI District- East Champaran

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mrs. Sucheta Yadav, APP

ORAL ORDER

2. The petitioner apprehends arrest in connection with Piprakothi P.S. Case No. 307 of 2024, registered under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, total 50 liters liquor was recovered out of which 40 liters liquor was recovered from bamboo orchard.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Chhabila Sahni and the same has got no evidentiary value. It is next submitted that the alleged place of recovery does not belong to the petitioner. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 17.04.2025 passed in Cr. Misc. No. 23723 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Piprakothi P.S. Case No. 307 of 2024, subject to the conditions as laid down under



Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita,
2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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