

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42808 of 2016

Arising Out of PS.Case No. -179 Year- 2016 Thana -MITHANPURA District- MUZAFFARPUR
=====

Md. Kalam S/o Peer Bax, resident of Village- Malighat, P.S.- Mithanpura,
District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 16-12-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with

Mithanpura P.S. Case No. 179 of 2016 registered for the offences

punishable under Sections 290/34 of the Indian Penal Code and

Sections 47, 54, 57 of Bihar Excise (Amendment) Act, 2016.

Petitioner is named in the first information report but

admittedly, neither he was caught on the spot nor anything was

recovered either from his conscious possession or from his house.

Petitioner is said to have been identified by the police official at

the time of alleged occurrence and subsequently, by one seizure

list witness and except the aforesaid witnesses, not a single private

witness claimed to have identified the petitioner carrying illegal



liquor.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, East, Muzaffarpur in Mithanpura P.S. Case No. 179 of 2016 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

U		T	
---	--	---	--

