

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12050 of 2018

Arising Out of PS.Case No. -177 Year- 2017 Thana -DARAUNDHA District- SIWAN

=====

1. Pintu Singh S/o late Satan Singh, R/o Village- Ranibari Rukindipur, P.S.-
Duraundha, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Anish Chandra

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 05-03-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in a case instituted
for the offences under Section 308 of the Indian Penal Code.

The police has received an information that petitioner is
engaged in illegal trading of foreign liquor and police raided
the Poultry Farm of one Arvind Giri and there was recovery of
huge quantity of liquor and person who was arrested from
there at his instance huge quantity of liquor has been
recovered.

Learned counsel for the petitioner submits that though
there is allegation of recovery of huge quantity of liquor but
the police has not found the petitioner involved in trading of



liquor and as such petitioner has not been framed under the Prohibition Act.

Counsel for the petitioner has submitted, as First Information Report has not been lodged under the Prohibition Act the question of applicability of Section 76(2) of the Excise Act does not arise. In fact petitioner was not there at the place of recovery only on the statement of other co-accused the petitioner has been framed in the present case.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, let petitioner, namely, Pintu Singh, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional District and Sessions Judge 2nd-cum-Special Judge (Excise), Siwan in connection with Duraundha P.S. Case No.177 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Vinay/-

(Shivaji Pandey, J)

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

