

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32270 of 2018

Arising Out of PS. Case No.-48 Year-2018 Thana- CHAURADANO District- East Champaran

Arshad Alam @ Mumtaz, Son of Bhutan Miyan, Resident of Village-
Tikuliya, P.S.- Adapur, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

24-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks Anticipatory bail in connection with Chhouradano (Mahuawa) P.S. Case No. 48 of 2018 registered under Sections 272, 273 of the Indian Penal Code and under Sections 30(a), 37(B) of the Bihar Prohibition and Excise Act, 2016.

As per FIR, the S.H.O. of Mahuawa P.S. alongwith his patrolling party saw two persons coming with bags on their heads. On seeing the police party one person fled away and another person namely Ram Nath Rai was apprehended. On search, total 54 litres Nepali Sofi was found in two bags. On query the said Ram Nath Rai disclosed the name of petitioner who had fled away and also stated that the liquor was to be delivered to one Sanoj Yadav.



Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case and he is not involved in the business of liquor. It has further been submitted that his name has transpired on the confessional statement of co-accused Ram Nath Rai before the police. No recovery has been made from the possession of the petitioner or from his house. It has further been submitted that he has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of Anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, the petitioner is directed to be released 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 the learned Additional Sessions Judge IVth -cum- Special Judge, Excise, East Champaran, Motihari, in connection with Chhouradano (Mahuawa) P.S. Case No. 48 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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