

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61726 of 2018

Arising Out of PS. Case No.-475 Year-2018 Thana- BARACHATTI District- Gaya

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Sunni Kumar @ Sunnidev Paswan, S/o Kishundev Paswan, Resident of
Village- Bhadeja, P.S.-Muffasil, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Sri Vinod Kumar

For the Opposite Party/s : Sri Nand Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 06-10-2018 Heard Sri Vinod Kumar, learned counsel for the

petitioner and Sri Nand Kishore Prasad, learned Additional

Public Prosecutor.

The sole petitioner, apprehending his arrest in
connection with Barachatti (Mohanpur) P.S. Case No. 475 of
2018 , registered for the offence under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016, has prayed for grant of
bail in the event of his arrest or surrender.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the present case as if
after noticing Police he leaving his motorcycle fled away. By
way of referring to the F.I.R. it has been argued that on the



same day at the same time Police has stated that three motorcycles were intercepted and the persons who were driving motorcycles after leaving motorcycles fled away and recovery of liquor was shown from all the three motorcycles. Learned counsel for the petitioner has drawn my attention to the seizure list enclosed with the F.I.R. to show that in the seizure list nothing has been indicated that what quantity was recovered from which motorcycle. Besides this a plea has been taken that petitioner by way of parking motorcycle had gone somewhere else in the meanwhile Police arrived and fabricated false case . Learned counsel for the petitioner has also drawn my attention to the statement made in para- 3 of the petition to show that petitioner is having clean antecedent.

Learned Additional Public Prosecutor has opposed the prayer for grant anticipatory bail.

Considering the nature of accusation and clean antecedent of the petitioner , in the event of his arrest or surrender within a period of six weeks from today, let the petitioner - Sunni Kumar @ Sunnidev Paswan 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 Special Excise Judge, Gaya / concerned



court in connection with Barachatti (Mohanpur) P.S. Case
No. 475 of 2018 subject to the conditions as contemplated
under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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