

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42895 of 2018

Arising Out of PS. Case No.-41 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

Chhotu Kumar, S/o Late Bhagwan Sao, R/o Mohalla- Panjabi Mohalla Ward
No.17, P.S. and District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shaukat Alam
For the Opposite Party/s : Mr. Sri Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 06-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks Anticipatory bail in connection with
Case No. 41C2 of 2018 registered under Sections 30(a), 32(i)
and 38(i) of the Bihar Prohibition of Excise Act.

Allegation against the petitioner and-co-accused is
of recovery of 8 ½ litres country made liquor from their
possession.

It has been submitted on behalf of the petitioner that
petitioner is innocent and has been falsely implicated in this
case. It has been further submitted that liquor was recovered
from the possession of his brother. His name has been taken by
his brother and due to this reason he has been implicated in this



case.

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 2nd Additional District & Sessions Judge cum Special Judge (Excise), Lakhisarai, in connection with Case No. 41C2 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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