

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5408 of 2019

Arising Out of PS. Case No.-508 Year-2018 Thana- JAGDISHPUR District- Bhagalpur

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1. Amit Kumar @ Amit Kumar Sah @ Amit Sah aged about 30 Yrs (m).
 2. Bikash Kumar Sha @ Bikash Sah aged about 32 yrs (m)
- Both are sons of Late Ashok Sah Resident of Village- Ganeshpur Tinpuliya,
P.S. Jagdishpur, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anupa Nand Jha
For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-02-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

Petitioners are seeking anticipatory bail in connection
with Jagdishpur P.S. Case No. 508 of 2018 registered for the
offences punishable under Section 30 (A) of Excise Act.

Learned counsel for the petitioners submits that the
recovery of illicit liquor has taken place from one Godown
which is owned by somebody else. So far as, these petitioners
are concerned, they have no concern with the place from where
recovery has taken place and they are not related with the
accused, Chotu Kumar who was arrested from the Godown.
These petitioners have also no criminal antecedent.

Submission of learned counsel for the petitioners is



that it is out and out case of false implication of the petitioners because there is no material to connect them in connection with this case which has been registered under the provisions of Prohibition Act.

Learned APP for the State is present and has opposed the prayer for bail.

In the given facts and circumstances of the case, where it is evident from the materials placed before this Court that the recovery of alleged illicit liquor has taken place from a Godown and one Chotu Kumar was arrested from the said place with whom these petitioners are claiming no relationship and no connection with the alleged Godown as also that they have no criminal antecedent, in case of arrest or surrender of the petitioners within a period of four weeks from today, the abovenamed petitioners are directed to be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd A.D.J-cum-Special Judge Excise Act, Bhagalpur in connection with Jagdishpur P.S. Case No. 508 of 2018, subject to the condition that petitioner shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of



investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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