

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6940 of 2019

Arising Out of PS. Case No.-104 Year-2018 Thana- PIPRAKOTHI District- East Champaran

AKASH RAM son of Nagendra Ram

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-02-2019 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 272 and 273/34 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case as per the written report of ASI Ramji Singh Yadav of Piprakothi Police Station dated 11.6.2018 submitted to the SHO, Motihari is to the effect that on 10.6.2018 at 5.35 P.M. during patrolling, an information was received that illicit liquor has been concealed in the sugarcane field of Basudeo Prasad Mahto. Thereafter, raid was laid and on seeing the police party, three co-accused when three persons, namely, co-accused Chandan Gupta, Md. Akhtar Mian and the petitioner Akash Ram started fleeing



away. It is alleged that from the sugarcane field of Basudeo Prasad Mahto, 1000.515 litres of foreign liquor were recovered.

It is submitted by learned counsel for the petitioner that the petitioner has been roped in the present case maliciously and the recovery has been made from the sugarcane field of Basudeo Prasad Mahto. Statement has been made in paragraph 3 of the petition that the petitioner is are not having any criminal antecedent. Considering the same, similarly situated co-accused Chandan Gupta has been granted bail vide order dated 6.12.2018 passed in Cr. Misc. No.72893 of 2018.

Considering the fact that the accusation in the FIR does not suggest seizure from the possession of the petitioner, coupled with the fact that the petitioner is not having criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VII-cum-Special Judge, Excise, East Champaran, Motihari in



connection with Pipra Kothi P.S. Case No. 104 of 2018
subject to the conditions laid down in Section 438(2) of the
Cr.P.C.

(Dinesh Kumar Singh, J)

anil/-

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