

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7879 of 2019

Arising Out of PS. Case No.-383 Year-2018 Thana- CHANPATIA District- West Champaran

Ramu Sah, aged about 22 years, male, Son of Vinod Sah Resident of Village -
Grabhuwa , Lala Tola, Police Station – Chanpatiya, Sirisiya (O.P.), District –
West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case
registered for offences punishable under Section 414 of the
Indian Penal Code and Sections 30(a) and 30(b) of Bihar
Prohibition and Excise Amendment Act, 2018.

Prosecution case as per the written information of
Mukesh Kumar Verma, Sub-Inspector, Sirisiya O.P. to S.H.O.
Chanpatia to the effect that on 17.09.2018 at about 4 A.M., the
informant received a secret information to the effect that in the
village Garbhuwa Lala Tola, illegal wine was manufactured,



whereupon, a raid was laid and on seeing the police party, some persons started fleeing away, but on chase being made, four persons were arrested and from their houses stolen motorcycle and illicit liquor were recovered. It is alleged that from the house of the petitioner, Ramu Sah, a stolen motorcycle and 8 litres of illicit liquor were recovered.

It is submitted by learned counsel for the petitioner that there is no recovery from the petitioner rather the said recovery of the motorcycle and 8 litres of the illicit liquor has been made from the embankment of the canal. It is further submitted that the petitioner is not having any criminal antecedent.

Learned A.P.P. submits that from the possession of the petitioner, a stolen motorcycle and 8 litres of illicit liquor has been recovered and petitioner is named in the FIR.

Considering the accusation as well as the fact that nothing has been recovered from the conscious physical possession of the petitioner, coupled with the fact that the petitioner is not having any criminal antecedent, let the petitioner above named, be released on the anticipatory bail in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.



10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran, in connection with Chanpatia (Sirisiya O.P.) P.S. Case No. 383 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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