

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20061 of 2019

Arising Out of PS. Case No.-416 Year-2018 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Pappu Tiwari, Son of Ashok Tiwari Resident of Village- Matuk Chapra,
Police Station- Pachrukhi, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhakar Singh
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 25-07-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
G.B. Nagar P.S. Case No.416 of 2018 for the offence punishable
under Sections 30(a), (c), 38, 41(1) of Bihar Prohibition and
Excise Act, 2016.

The allegation against the petitioner as per the First
Information Report is that police upon secret information, that
some persons have brought illicit liquor and are keeping them
on motorcycle and other vehicles, proceeded towards the house
of Umesh Singh and upon seeing the police party, some persons
started fleeing away and succeeded in the same. The police
recovered a total quantity of 591 litres of illicit liquor from the



house of Umesh Singh and Tata Magic vehicle and two motorcycle.

Learned counsel appearing for the petitioner submits that petitioner is innocent and his name has come on the basis of the disclosure of his identity by the Chowkidar with oblique motive. He further submits that petitioner has got no criminal antecedent and illicit liquor has not been recovered from the house, vehicle or premises belonging to the petitioner. Accordingly, the learned counsel submits that on the basis of allegation made in the FIR and the seizure list, no prima facie case is made out against the petitioner.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that no illicit liquor has been recovered from the house, vehicle or premises belonging to the petitioner and there is no criminal antecedent of the petitioner, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the



like amount each to the satisfaction of learned 2nd Additinal District and Sessions-cum-Special Judge, Excise, Siwan, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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