

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18291 of 2019**

Arising Out of PS. Case No.-494 Year-2018 Thana- DUMRAO District- Buxar

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ANGRAHIT YADAV @ AMARHIT YADAV @ AMRAHIT YADAV aged about 40 years (Male), Son of Ramsigasan Yadav @ Ram Singhasan Yadav, Resident of Village- Banjhu Dera, P.S.- Dumraon, District- Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Indu Kumari Srivastava

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 04-04-2019 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Dumraon P.S. Case No. 494/2018 registered under Sections 272, 273 of the Indian Penal Code and 3(2)/9/(2) of Bihar Excise Prohibition Amendment Act, 2018.

Learned counsel for the petitioner submits that as per prosecution version that on 27.12.2018 while the informant along with other police personnel arrived near the Kaw river after getting a tip off, nabbed one person in the state of intoxication and on his information several utensils of manufacturing of illicit country made liquor were



recovered and seized.

Submission of learned counsel for the petitioner is that there is no recovery of alleged illicit country made liquor from the house of the petitioner rather the seizure is said to have been made at the bank of river. It is submitted that name of the petitioner has been brought in this case on the basis of information said to have been supplied by the villagers as also that this petitioner has got no criminal antecedent

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case whereunder there is no recovery of alleged illicit country made liquor from the house of the petitioner rather the seizure is said to have been made at the bank of river but the name of the petitioner has been brought in this case on the basis of information said to have been supplied by the villagers as also that this petitioner has got no criminal antecedent, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of



Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned A.D.J. - II – cum – Special Judge (Excise), Buxar, in connection with Dumraon P.S. Case No. 494/2018, subject to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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