

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26523 of 2019**

Arising Out of PS. Case No.-1033 Year-2018 Thana- MOTIPUR District- Muzaffarpur

RAJ KUMAR S/O- Sahdeo Raj, R/o Village- Mishraulia, P.S.- Motipur,  
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Gauri Shankar Gupta

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      23-04-2019      This application, for grant of anticipatory bail, arises out of Motipur P.S. Case No. 1033 of 2018, disclosing offences under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Allegation as per F.I.R. is of recovery of 150.4 litres of liquor from hut of one co-accused Shashi Rout and it is said that co-accused Shashi Rout, petitioner and one Devanand Rai had kept the liquor there.

Submission of learned counsel for the petitioner is that he has no criminal antecedent and has falsely been implicated in this case and from the F.I.R itself it is evident that nothing has been recovered either from his possession or from his house.

Heard learned A.P.P. also.



Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, 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. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur, in connection with Motipur P.S. Case No. 1033 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Vinod Kumar Sinha, J)**

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