

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26455 of 2019

Arising Out of PS. Case No.-75 Year-2018 Thana- DANDARI District- Begusarai

1. Gorelal Tanti Son of Late Ram Swarup Tanti, Resident of Village- Balha, P.S.- Dandari, District- Begusarai.
2. Bisheshwar Bind Son of Ramji Bind, Resident of Village- Balha, P.S.- Dandari, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-04-2019 Learned counsel for the petitioners submit that petitioner no.1, Gorelal Tanti surrendered in the court below and, therefore, his anticipatory bail petition has become infructuous.

In this view of the fact, the anticipatory bail petition of petitioner no.1, Gorelal Tanti is dismissed as has become infructuous.

Heard both sides.

Petitioner No.2, namely, Bisheshwar Bind apprehends his arrest in Dandari P.S. Case No.75 of 2018 registered under Section 30(a) of the Bihar Prohibition and Excise Act.

The police on secret information raided the place situated by the side of the river and found illegal liquor made of mahua and other articles meant for preparing mahua liquor. The



informant alleged that Chowkidar identified five persons including the petitioner, who managed to flee away.

It is submitted that petitioner no.2 has no manner of concern with the liquor and other articles recovered from the place situated by the side of the river and not from possession of petitioner no.2. The Chowkidar has falsely implicated petitioner no.2.

Having considered the facts and the nature of allegation made against petitioner no.2 and the fact that the recovery was made from the side of the river and not from possession of petitioner no.2, let petitioner no.2 (Bisheshwar Bind), in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, be directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge (Excise Act), Begusarai in connection with Dandari P.S. Case No.75 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

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(Prabhat Kumar Jha, J)

