

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32832 of 2019

Arising Out of PS. Case No.-62 Year-2019 Thana- PAHARPUR District- East Champaran

Bhup Narayan Giri, S/o Late Sudarshan Giri, R/o village- Giri Tola, P.S.-
Paharpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mrs. Rita Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-08-2019 This is an application for grant of anticipatory bail in connection with Paharpur P.S. Case No. 62 of 2019, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

F.I.R. disclosed an allegation that police has received a secret information that petitioner is engaged in liquor trade and on that, he raided the place of occurrence and from the field of one Nikku Singh 2.5 liters of country made liquor has been recovered.

Submission of the learned counsel for the petitioner is that F.I.R. itself shows that recovery is from the field of one Nikku Singh and nothing either from the field of petitioner or from his conscious possession. Petitioner has no criminal antecedent.

Heard learned A.P.P. also, who has opposed the



prayer for anticipatory bail and admitted that recovery is not from the house of the petitioner or from his conscious possession.

Having heard both sides, considering the above submission, 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) with two sureties of the like amount to the satisfaction of learned Additional Sessions Judge-Cum- Special Judge, Excise, Motihari, East Champaran, in connection with Paharpur P.S. Case No. 62 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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