

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33529 of 2019**

Arising Out of PS. Case No.-12 Year-2014 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

=====

BIPIN KUMAR YADAV @ BIPIN KUMAR, Son of Late Tetar Lal Yadav
Resident of Village - Harda, P.S.- Maranga, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand
For the Opposite Party/s : Ms.Veena Kumari Jaiswal

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-07-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Case No. C I/12 of 2014, disclosing offences under
Section 47(a) of the Excise Act.

The prosecution case is that the Excise officials, on
the basis of secret information, raided, on 03.03.2014, the shop
of the petitioner and recovered 4.740 litres of foreign liquor.

Learned Counsel for the petitioner submits that the
petitioner had no knowledge about the case lodged by the
Excise Officials and the petitioner came to know about the
present case only when he received summons on 15.01.2019,
which was issued on 10.01.2019. He further submits that the



petitioner is innocent and he is not the owner of the alleged shop and has been dragged in this case with oblique motive.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioner is not the owner of the shop from where the foreign liquor was recovered, I find it a fit case for grant of privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioner, Bipin Kumar Yadav @ Bipin Kumar, in the event of his arrest or surrender before the Court below within four weeks, be released 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 2nd Additional Sessions Judge -cum- Special Judge, Excise, Purnea, in connection with Case No. C-I/12 of 2014, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

