

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41527 of 2019

Arising Out of PS. Case No.-130 Year-2019 Thana- KHIJARSARAI District- Gaya

SHAMBHU KUMAR @ ABHIMANYU KUMAR, aged about 24 years,
Male, Son of Hirday Yadav, Resident of Village - Jolah bigha, P.S.-
Khizarasari, District- Gaya ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Vishwa Ranjan Choudhary, Adv.

For the Opposite Party : Mr. Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 05-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Khizarasari P.S. Case No. 130 of 2019 for the offence alleged
under Section 30(A) of the Bihar Prohibition and Excise Act,
2016.

The accusation is that on patrolling duty one
motorcycle was seen moving in fast speed and when signal was
given to stop the motorcycle then one person succeeded in
fleeing away, but, one person was apprehended with the
motorcycle, who disclosed his name as Ravi Ranjan. On search
of bag, kept on motorcycle, 15 liters country made liquor
recovered. Ravi Ranjan Kumar disclosed the name of the
petitioner who succeeded in fleeing away.

The submission of the learned counsel for the



petitioner is that petitioner was not apprehended on the spot rather his name has been disclosed by co-accused, Ravi Ranjan Kumar, who is said to be apprehended with the motorcycle in which one bag was recovered, containing 15 liters of illicit liquor. The petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Khizarasari P.S. Case No. 130 of 2019 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Gaya, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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