

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44681 of 2019

Arising Out of PS. Case No.-290 Year-2019 Thana- TURKAULIYA District- East
Champaran

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LADDU KUMAR @ BHARAT KUMAR Son of Jai Lal Sah Resident of
Village-Belwa Rai Khas, P.S-Turkauliya, District-East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-07-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Turkauliya Police Station Case No. 290 of 2019, disclosing offences under Sections 272/273/34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information Report, is that the police, upon secret information, raided the hut of co-accused Mahesh Kumar and it is alleged that seeing the police, the petitioner, along with the co-accused, fled away from the hut, in question. Upon search being conducted in the hut of the co-accused, the police recovered 34.500 litres of illicit liquor



and the name of this petitioner has been disclosed by the member of the public.

After having heard learned Counsel for the parties and taking into consideration the fact that the recovery of illicit liquor has been made from the hut of the co-accused and the same has not been recovered either from the conscious possession of the petitioner or his premises and, in my opinion, no *prima facie* case is made out against the petitioner, I find it a fit case for grant of privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioner, Laddu Kumar @ Bharat 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 9th Additional Sessions Judge -cum- Special Judge, Excise, East Champaran, at Motihari, in connection with Turkauliya Police Station Case No. 290 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to



appear before the Court on two consecutive occasions, his bail
bond shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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