

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45164 of 2019

Arising Out of PS. Case No.-87 Year-2019 Thana- CHAPRA MUFFASIL District- Saran

DEEPAK RAI S/o Kanhai Rai R/o village- Sadha, P.S.- Chapra Muffasil,
District- Saran Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-07-2019 This application, for grant of anticipatory bail, arises out of Chhapra Muffasil P.S. Case No. 87/019, disclosing offences under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of Excise Act, 2016.

Prosecution story is that police on secret information that petitioner and other accused are preparing and selling the illegal wine in chawr, raided the place and on seeing the police some persons started fleeing away but on chase one of the accused was apprehended by the police, who disclosed his name as Babloo Rai and also disclosed the names of other accused persons including petitioner, who succeeded in fleeing away and, thereafter, police recovered 120 litres of country made liquor.

Submission of learned counsel for the petitioner is



that he has no criminal antecedent and has falsely been implicated in this case and except confessional statement of the co-accused, there is absolutely nothing against the petitioner as there is no recovery either from the possession or from the house of the petitioner rather the recovery has been made from an open place.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, 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) each with two sureties of the like amount each to the satisfaction of learned A.D.J. -XI, Saran at Chapra, in connection with Chhapra Muffasil P.S. Case No. 87/019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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