

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45163 of 2019

Arising Out of PS. Case No.-92 Year-2019 Thana- BASOPATTI District- Madhubani

Tasleem, S/o Rajjak Resident of Mahinathpur Dubahi, Mahinathpur, P.S.-
Basopatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Kumar

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 27-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Basopatti P.S. Case No.92 of 2019, for the offence punishable
under Sections 272, 273 of the Indian Penal Code and Section
30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner as per the First
Information is that police intercepted one pick up van and
recovered a total quantity of 378 litres of illicit liquor from said
pick up van.

Learned counsel appearing for the petitioner submits
that the petitioner has got no criminal antecedent and has not
committed any offence in the manner alleged inasmuch as no
illicit liquor has been recovered from the conscious possession



or the vehicle belonging to the petitioner. Learned counsel referring to para 8 of the bail application submits that the pick up van from where the illicit liquor has been recovered does not belong to the petitioner.

Having regard to the submissions made by the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession of the petitioner and the petitioner is not the owner of the pick up van, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge (Excise Act), Madhubani, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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