

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51007 of 2019

Arising Out of PS. Case No.-49 Year-2019 Thana- SARE District- Nalanda

BANNU @ AMIT S/o Subachandra Prasad @ Shube Chandan Prasad Singh
R/o Village- Bhikhani Bigha, P.S.- Sare, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nand Lal Prasad Sinha

For the Opposite Party/s : Mr.Ashraf Ansari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 06-09-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Sare Police Station Case No. 49 of 2019, disclosing offences under Sections 30 (a) (c) (d)/33/36 of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner, as per the First Information Report, is that the police raided the house of one Akhileshwari Prasad and upon seeing the police, some persons fled away from the place of occurrence. The police recovered 486 litres of illicit liquor from the said house and the name of the petitioner has come on the basis of the identification by the Chowkidar.

Learned Counsel for the petitioner submits that the



petitioner has no criminal antecedent and no illicit liquor has been recovered from the conscious possession of the petitioner or the premises belonging to the petitioner. He further submits that the name of the petitioner has been disclosed by the Chowkidar with oblique motive.

After having heard learned Counsel for the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession of the petitioner or the premises belonging to the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

Accordingly, this application is allowed.

Let the petitioner, Bannu @ Amit, 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 3rd Additional Sessions Judge -cum- Special Judge, Excise, Nalanda, at Biharsharif, in connection with Sare Police Station Case No. 49 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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