

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55557 of 2019

Arising Out of PS. Case No.-137 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Kundan Ram, aged about 24 years, male, Son of Balindra Ram, Resident of
Village- Birwat Bajar, P.S.- Uchagaon, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Srivastava, Adv.

For the Opposite Party/s : Ms. Renuka Ratnakar, APP.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with
Excise Case No. 137 of 2019 registered under section 30 (a) of
Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner, as per the first
information report, is that the police on a secret information
intercepted one Honda Shine Motorcycle and the person sitting on
the motorcycle tried to flee away but police apprehended one
person and another person succeeded in fleeing away. The police
recovered total quantity of 18 liters of illicit liquor from the
motorcycle.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in this case on the
basis of his name being disclosed by the arrested co-accused.



Learned counsel further submits that the motorcycle from which illicit liquor was recovered does not belong to the petitioner.

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 vehicle owned by the petitioner and the motorcycle does not belong to the petitioner as stated by him in paragraph 7 and 8 of this application, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today 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 the learned 2nd Additional Sessions Judge-cum-Special Judge, Gopalganj in connection with Excise Case No. 137 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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