

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51213 of 2019**

Arising Out of PS. Case No.-29 Year-2019 Thana- MAHINDWARA District- Sitamarhi

Vinod Kumar @ Vinod Sahni, Male, aged about 32 years, S/o Bhilla @ Vimal Sahni R/o Village- Olipur Sarhachiya, P.S.- Mahindwara, District- Sitamarhi.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Adv.
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 16-11-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner apprehend his arrest in connection with Mahindwara P.S. Case No. 29 of 2019 registered under section 30 (a),(b),(c),(f), 34, 36, 41 of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner, as per first information report, that the police recovered a total quantity of 78 liters of illicit foreign liquor from an open field of the village and arrested one person namely Kamlesh Kumar, who disclosed the name of the petitioner as his associates.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in this case merely on the basis of statement made by the arrested co-accused. Learned counsel further submits that the illicit liquor has not been



recovered from the conscious possession of the petitioner or from the premises belonging to the petitioner. Learned counsel further submits that similarly situated accused person has been granted bail by this Court in Criminal Miscellaneous No. 33560 of 2019.

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 or from the premises belonging to the petitioner and similarly situated accused person has been granted bail by this Court, 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 Addl. Distt. And Session Judge, IInd -Cum-Special Judge, Excise Act, Sitamarhi in connection with Mahindwara P.S. Case No. 29 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

U			
---	--	--	--

