

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49806 of 2019

Arising Out of PS. Case No.-638 Year-2019 Thana- BIHTA District- Patna

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Ajit Kumar Singh @ Ajit Singh Son of Late Rameshwar Singh Resident of
Village - Kishunpur, Bihta, P.S. - Bihita, District - Patna - 801103, (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Apurva Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-08-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bihta P.S. Case No. 638 of 2019, registered under Section
30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner is that the house
of the petitioner was raided by the police and upon search police
recovered a total quantity of 38 liter of illicit liquor beneath the
guava tree in the premises of the petitioner's house.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. Learned counsel further submits that petitioner has no
criminal antecedent and he had been dragged in this case with
oblique motive, inasmuch as the police has seized the illicit



liquor from an open space and beneath a guava tree which is situated beside the house of the petitioner and the aforesaid land belonged to his Gotiya.

After having heard learned counsel for the parties and taking into consideration the fact that illicit liquor has been recovered from an open place and the justification given by the petitioner that it was under the share of his Gotiya and petitioner has got no criminal antecedent, accordingly, I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above named, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna, in connection with Bihta P.S. Case No. 638 of 2019; subject to condition as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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