

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51354 of 2019

Arising Out of PS. Case No.-207 Year-2019 Thana- HARSIDHI District- East Champaran

UPENDRA SAH @ UPENDRA PRASAD Son of Matilal Sah Resident of
Village - Bhada Murli ward no. 8, P.S.- Harsidhi, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kundan Rathore, Advocate. Mr. Hemant Kumar Sharan
For the Opposite Party/s	:	Mr. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-08-2019 The petitioner apprehends his arrest in connection with Harsidhi P.S. Case No. 207 of 2019 registered under Sections 188, 272, 273 and 420/34 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act.

Allegation against the petitioner, as per FIR, is that the police, on secret information, raided the house of Sonalal Yadav, who upon seeing the police, fled away, and recovered a total quantity of 812 litres illicit liquor and from a vehicle standing at the door of house of Sonalal Yadav. The name of the petitioner has been disclosed by the village Chawkidar.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case on the basis of alleged disclosure made by the village Chawkidar due



to oblique motive. He submits that no illicit liquor has been recovered from the conscious possession of the petitioner and he has got no criminal antecedent.

After having heard learned counsel for the parties and taking into consideration the fact that no recovery has been made from the possession of the petitioner or from the vehicle belonging to the petitioner and the same has been recovered from the house of one Sonalal Yadav, as such I am inclined to grant anticipatory bail to the petitioner. Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, 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, Motihari, East Champaran in connection with Harsidhi P.S.Case No. 207 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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