

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51848 of 2019

Arising Out of PS. Case No.-190 Year-2019 Thana- DURGAWATI District- Kaimur (Bhabua)

SUBEDAR BIND Son of Sukhram Bind Resident of Village - Sariyaon, P.S.-
Durgawati, Distt - Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-08-2019 The petitioner apprehends his arrest in connection with
Durgawati P. S. Case No. 190 of 2019 registered under Sections
30(a) of the Bihar Prohibition and Excise Act.

Allegation against the petitioner is that the upon
information that petitioner was indulged in sale of illicit liquor,
raided the house of the petitioner and upon seeing the police
party, he fled away and in total 5.400 litres of country made
liquor was recovered from the chart land near road in front of
the *Baithka* of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that petitioner has falsely been implicated in this case
with oblique motive and from perusal of the FIR as well as the
seizure list, it would be apparent that illicit liquor has been
recovered from chart land near the road and the same has not



been recovered from inside the house of the petitioner. As such submission is that from perusal of FIR and the seizure list, no *prima facie* case is made out against the petitioner.

After having heard learned counsel for the parties and taking into consideration the fact that illicit liquor has not been recovered from the conscious possession or premises of the petitioner, accordingly, I am inclined to grant anticipatory bail to the petitioners.

Let the petitioner, above-named, 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 Additional Sessions Judge-4-cum-Special Judge, Kaimur at Bhabua in connection with Durgawati P.S.Case No. 190 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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