

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53237 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- DANAPUR District- Patna

=====

BINDESHWAR PRASAD @ BINDESHWAR RAI @ BHANTU RAI @
BHANTU PAHALWAN Son of Late Nawab Rai Resident of Mohalla -
Saguna (Nadi Par), P.S.- Danapur, Distt - Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Suresh Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-09-2019 This application, for grant of anticipatory bail, arises out of Danapur P.S. Case No. 18 of 2019, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 and Section 25(1-B)a26/35 of the Arms Act.

Police on information that one Dara Rai has illegally stored the Indian made foreign liquor in his house, where his brother (petitioner) resides, raided the house and recovered 26 bottles of Indian made foreign liquor each containing 180 M.L. and from enquiry from the local people, they disclosed that the house is of Dara Rai but petitioner resides in the house and takes rent from the tenant residing there.

Submission of learned counsel for the petitioner is



that he has no criminal antecedent and has falsely been implicated in this case and the F.I.R. itself disclosed that the house is of his brother and none of the independent witnesses except the police witness, has supported the prosecution case that he is collecting the rent of the house.

Learned counsel for the State could not controvert the above facts.

Having heard both sides, considering the submission, as above, this application is allowed. Let the petitioner, above named, surrender in the court below within two weeks and on his surrender the court below will release him on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Danapur, in connection with Danapur P.S. Case No. 18 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that he has to appear before the police as and when required and cooperate in the investigation.

(Vinod Kumar Sinha, J)

sunilkumar/-

U		T	
---	--	---	--

