

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53306 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- SALAIYA District- Aurangabad

Rohit Kumar Singh @ Rohit Kumar aged about 25 years (male), Son of Anil Singh, Resident of Village - Pirthu, P.S.- Salaiya, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Adv.

For the Opposite Party/s : Mr. Satyadeo Singh Yadav, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-08-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Salaiya P.S. Case No. 34 of 2019 registered under sections 30(A), 37(c), 37(2) of Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner is that the police, upon a secret information, raided the house of the petitioner and recovered 80 liters of raw spirit from a hut in front of the house of the petitioner and arrested the father of the petitioner.

Mr. Bachan Jee Ojha, learned counsel appearing for the petitioner submits that petitioner has got no criminal antecedent and has falsely been implicated in this case. Learned counsel further submits that from perusal of first information and seizure list, it is apparent that illicit spirit has been recovered from a hut situated in front of the house of one Anil Singh who has already



been arrested by the police. Learned counsel further submits that petitioner is son of Anil Singh and has not committed any offence under the provisions of the Excise Act.

After having heard learned counsel for the parties and taking into consideration the fact that illicit spirit has been recovered from a hut situated in front of the house and not from inside the house of the petitioner, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he 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 learned Chief Judicial Magistrate, Saran at Chapra in connection with Salaiya P.S. Case No. 34 of 2019 subject to the conditions as mentioned under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

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