

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54632 of 2019

Arising Out of PS. Case No.-525 Year-2019 Thana- FORBESGANJ District- Araria

PRINCE BHAGAT @ PRINCE KUMAR @ PRINCE KUMAR BHAGAT
Son of Bijay Prasad Bhagat Resident of- Sultan Pokhar, Forbesganj, Ward No.
2, P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Mandal

For the Opposite Party/s : Ms.Meena Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Forbesganj Police Station Case No. 525 of 2019, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as 'the Act').

The allegation against the petitioner, as per the First Information Report, is that the police, on secret information, raided the house of the petitioner and recovered 720 ml. of illicit liquor from the house of the petitioner.

Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely because he is living in the house along with his



father Bijay Prasad Bhagat, who has been arrested by the police from the spot. He further submits that the petitioner has no criminal antecedent and no illicit liquor has been recovered from the conscious possession of the petitioner or house of the petitioner inasmuch as the alleged house, in question, belongs to his father.

After having heard learned Counsel for the parties concerned and taking into consideration the fact that the father of the petitioner has been arrested by the police in course of raid and further the petitioner is the son of said Bijay Prasad Bhagat, having no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, Prince Bhagat @ Prince Kumar @ Prince Kumar Bhagat, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Araria, in connection with Forbesganj Police Station Case No. 525 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.



This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

U	✓	T	✓
---	---	---	---

