

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55624 of 2019

Arising Out of PS. Case No.-178 Year-2019 Thana- HARSIDHI District- East Champaran

Bipin Giri, aged about 58 years, male, son of Sri Sheetal Giri, resident of Village-Jaggapakar, P.S.-Harsidhi, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 04-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Harsidhi P.S. Case No. 178 of 2019 registered under sections 272, 273, 188, 420 & 34 of the I.P.C and 30(a) of the Bihar Prohibition & Excise Act, 2016.

The allegation against the petitioner, as per the first information report, is that police on a secret information raided the field of one Ghusuk Mian and recovered a total quantity of 36 liters of illicit foreign liquor from bathan of Ghusuk Mian. It has further been alleged that the arrested co-accused has disclosed the name of the petitioner and others.

Learned counsel appearing for the petitioner submits that the petitioner has got no criminal antecedent and has falsely been implicated in this case on the basis of statement made by the co-accused before the police. Learned counsel further submits that



from perusal of first information report and the seizure list, it would be evident that the field from where the illicit liquor has been recovered does not belong to the petitioner and accordingly no prima facie case against the petitioner under the Excise Act is made out.

After having heard learned counsel for the parties and taking into consideration the fact that the petitioner has got no criminal antecedent and the illicit liquor has not been recovered from conscious possession or the premises belonging to the petitioner, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today 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 19th Addl. Session Judge-cum-Special Judge Excise, East Champaran, Motihari in connection with Harsidhi P.S. Case No. 178 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

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