

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69314 of 2019

Arising Out of PS. Case No.-127 Year-2019 Thana- GHORASAHAN District- East
Champaran

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UMA SHANKAR ROY S/o Kerai Rai R/o village- Bela, P.S.- Jitna, District-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Tiwari

For the Opposite Party/s : Mr.Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-11-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection
with Ghorasahan (Jitna) P.S. Case No. 127 of 2019 for the
offence punishable under Section 30(a) of the Bihar Excise and
Prohibition Act, 2016.

The allegation is regarding recovery of 720 bottles of
300 ml each of illicit Nepali Kasturi wine from the back side of
the house of the petitioner.

The learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case. It is
further submitted that the alleged recovery of illicit Nepali
Kasturi wine has not been made from the premises of the



petitioner, hence no offence under the provisions of the Bihar Excise and Prohibition Act is made out. It is further submitted that there is no material on record to suggest the complicity of the petitioner in the alleged occurrence. The petitioner is stated to be having clean antecedent.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner above named is directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, East Champaran, Motihari in connection with Ghorasahan (Jitna) P.S. Case No. 127 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

Tiwary/-

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