

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56555 of 2019

Arising Out of PS. Case No.-461 Year-2018 Thana- ARA NAGAR District- Bhojpur

SUDHIR KUMAR S/o Bhikhari Soni R/o Village- Ramgadhiya, P.S.- Ara
Town, District- Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Radha Mohan Singh
		Mr. Sangeet Deokuliar
For the Opposite Party/s	:	Ms. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-09-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Ara Town Police Station Case No. 461 of 2018, disclosing offences under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner, as per the First Information Report, is that the police raided the garage of one Md. Alamgir and recovered 11.250 litres of illicit liquor from a tempo kept over there. The police also arrested two persons, who disclosed the name of this petitioner as the owner of the said tempo.

Learned Counsel for the petitioner submits that the



petitioner has falsely been implicated in this case inasmuch as the tempo, from which the illicit liquor has been recovered, does not belong to the petitioner and the owner of the said tempo is one Sandeep Kumar, as stated in paragraph 10 of this application.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioner is not the owner of the tempo and the petitioner has no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

Accordingly, this application is allowed.

Let the petitioner, Sudhir Kumar, 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 4th Additional Sessions Judge -cum-Special Judge, Excise, Bhojpur, at Ara, in connection with Ara Town Police Station Case No. 461 of 2018, 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.)

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