

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57246 of 2019

Arising Out of PS. Case No.-92 Year-2019 Thana- CHANDI District- Nalanda

Shashi Anand @ Munna Yadav, Son of Sri Sanjit Prasad Resident of Village- Baburbanna, P.O.- Sohسرائ, P.S.- Rahui, District- Nalanda, Pin Code- 803118 (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lalan Kumar

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-09-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with Chandi P.S. Case No.92 of 2019, G.R. No.1567 of 2019, for the offence punishable under Sections 420, 120(B) of the Indian Penal Code and Section 30(a) of the Bihar Excise and Prohibition Act, 2016.

The allegation against the petitioner as per the First Information Report is that the police on the basis of information that about 12 to 15 men have stored illicit liquor near village Paharpura, reached near the place of occurrence and saw one pick up van bearing No.BR21D6727 and one small Chevrolet Spark bearing No.BR-01BL-5518 were standing and



upon search, police recovered a total quantity of 15.12 litres of illicit liquor from the said vehicles and arrested the driver, Balbir Kumar, who disclosed the name of the petitioner and others.

Learned counsel appearing for the petitioner submits that the petitioner has no criminal antecedent and has falsely been implicated on the basis of disclosure of his name by the driver of the pick up van who was arrested by the police. Learned counsel further submits that neither pick up van nor Chevrolet vehicle belongs to the petitioner and no illicit liquor has been recovered from the conscious possession or the vehicle belonging to the petitioner.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that the petitioner has got no criminal antecedent and no illicit liquor has been recovered from the possession of the petitioner or the vehicle belong to the petitioner, as such, 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 learned Additional District and Sessions Judge, IIIrd-cum-Special Judge (Excise), Nalanda at Biharsharif, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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