

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78379 of 2018

Arising Out of PS. Case No.-152 Year-2018 Thana- MUSRIGHRARI District- Samastipur

Ram Babu Sah Son of Ram Vilash Sah Resident of village Gangapur, ward
no. 14, P.s. - Mushrigharari, Distt. - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-01-2019 Heard the parties.

The petitioner seeks anticipatory bail in connection with Musrigharari P.S.Case No. 152 of 2018, registered for offences punishable under Sections 272, 273 of the Indian Penal Code and under Sections 30 (a), 47 of the Bihar Prohibition and Excise Act, 2016.

Allegation as per F.I.R. is of recovery pf total 2616 bottles foreign wine from a pick up van and apprehended person disclosed the name of the petitioner.

Submission of the learned counsel for the petitioner is that except confessional statement of co-accused, there is nothing against the petitioner and no recovery from his possession and he has falsely been implicated in this case. It is



further submitted that the petitioner has no criminal antecedent.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances as discussed above, let the petitioner No. 2, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge- III-Cum- Special Judge, Excise, Samastipur in connection with Musrigharari P.S.Case No. 152 of 2018, subject to the condition that as laid down under Section 438 (2) of the Code of Criminal procedure with conditions that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(Vinod Kumar Sinha, J)

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