

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57682 of 2019

Arising Out of PS. Case No.-73 Year-2019 Thana- SIKTI District- Araria

MD. MUNTAZIR ALAM @ MUNTAZIR ALAM S/o Mahtab @ Talam R/o
village- Pararia, Kali Chowk, Ward No. 9, P.S.- Sikty, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-09-2019 The petitioner apprehends his arrest in connection with
Spl. Case No. 667 of 2019 arising out of Sikty P. S. Case No.
73 of 2019 registered under Sections 30(a) and 38 of the Bihar
Prohibition and Excise Act, 2016.

Allegation against the petitioner as per FIR is that the
police intercepted some persons who were coming from Nepal
to India and upon seeing the police, two persons fled away and
one person Chhotu Alam was apprehended who disclosed the
name of this petitioner and others. Upon search, total quantity of
36 litres Nepali liquor was recovered from the arrested person
and one motorcycle also.

Mr. Mrigendra Kumar, learned counsel appearing on
behalf of the petitioner submits that petitioner has got no
criminal antecedent and he has falsely been implicated in this
case merely on the basis of statement made by co-accused. He



further submits that no illicit liquor has been recovered from the conscious possession of the petitioner and seized motorcycle does not belong to him.

After having heard learned counsel for the parties and taking into consideration the fact that illicit liquor has not been recovered from the possession of the petitioner and the seized motorcycle does not belong to him as disclosed by the petitioner before the Court, as such I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-cum-Spl. Judge, Araria in Spl. Case NO. 667 of 2019 arising out of Sikty P.S. Case No. 73 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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