

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58088 of 2019**

Arising Out of PS. Case No.-412 Year-2019 Thana- MOTIHARI TOWN District- East  
Champaran

=====

Sabu Ram, Son of Shyambabau Ram, Resident of Village - Begampur  
Balkhana, P.S.- Town, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Humayou Ahmad Khan

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      16-09-2019                      Heard learned counsel for the petitioner and learned  
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with Town  
P.S. Case No.412 of 2019, for the offence punishable under Section  
30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner, as mentioned in the  
FIR is that the police, on secret information that the petitioner was  
indulged in sale of illicit liquor in a place situated behind the house  
of the Ashok Ram, proceeded towards the place of occurrence and  
recovered total a quantity of 80 litres of illicit foreign liquor near the  
bush behind the house of Ashok Ram.

Ms. Reshmi Jha, learned counsel appearing for the  
petitioner submits that the petitioner has got no criminal antecedent  
and has falsely been implicated in this case merely on the basis of  
secret information received by the police. Learned counsel further



submits that no illicit liquor has been recovered from the house or the conscious possession of the petitioner and from perusal of the First Information Report, it is evident that illicit liquor has been recovered from the bush behind the house of one Ashok Ram.

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 no illicit liquor has been recovered from the house of the petitioner or from his conscious possession, 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 9<sup>th</sup> Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

**(Anil Kumar Sinha, J)**

sanjeev/-

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