

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62112 of 2019

Arising Out of PS. Case No.-188 Year-2019 Thana- SAHPUR District- Bhojpur

Babblu Tiwary @ Bullu Tiwary, Son of Late Birbahadur Tiwary Resident of
Village- Barishwan, Police Station- Shahpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 21-10-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Excise Case No.1501 of 2019, arising out of Shahpur P.S. Case
No.188 of 2019, for the offence punishable under Section 30(a) of
the Bihar Prohibition & Excise Act.

The allegation against the petitioner as per the First
Information Report is that police raided the house of Dipak Tiwary
and recovered a total quantity of 44.145 litres of illicit liquor and
50.4 litres of illicit liquor was also recovered from the house of one
Pravin Tiwary. It has further been alleged that the name of the
petitioner has been disclosed by Dipak Tiwary as one of the
accomplices of the co-accused who used to provide illicit liquor to
co-accused Dipak Tiwary and Praveen Tiwary.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged and



he has falsely been implicated in this case merely on the basis of statement made by co-accused from whose possession illicit liquor has been recovered. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession or the house 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 petitioner has got no criminal antecedent and no illicit liquor has been recovered from his house or his conscious possession, 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 Sessions Judge-4th-cum-Special Judge, Excise, Bhojpur, Ara, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

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(Anil Kumar Sinha, J)

