

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59975 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- KOTWA District- East Champaran

ABHIMANYU KUMAR, aged about 23 years, Male, S/o Narendra Singh R/o
village and P.S.- Kotwa, District- East Champaran ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Karandeep Kumar, Adv.

For the Opposite Party : Mr. Md. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 23-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Kotwa P.S. Case No. 45 of 2019 for the offences alleged under
Sections 30(a), 35 and 38 of the Bihar Prohibition and Excise
Act, 2016.

The accusation is that on receiving secret information
about selling the liquor in the hut of Narendra Singh in village
Kotwa, the informant, along with other police officials, reached
there, two persons were seen in the hut, but, on seeing the police
party they started to flee away. On chasing, one was
apprehended, who disclosed his name as Ajit Kumar and on
search of the hut 29 bottles, each containing 750 ml of Indian
made foreign liquor recovered. Ajit Kumar disclosed the name
of the petitioner, Abhimanyu Kumar, who succeeded to flee



away.

The submission of the learned counsel for the petitioner is that in fact the hut, which is said to be searched and from where 29 bottles of Indian made foreign liquor are said to be recovered, is belonging to brother of the petitioner, Ajit Kumar, but, police got implicated the petitioner also being the brother of Ajit Kumar. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Kotwa P.S. Case No. 45 of 2019 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge IX-cum-Special Judge, Excise, East Champaran at Motihari, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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