

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.60760 of 2019**

Arising Out of PS. Case No.-119 Year-2019 Thana- VIJAYEPUR District- Gopalganj

SUBHASH GOND @ SUBHASH GOD Son of Mallu Gond Resident of  
Village- Matiyari, P.S.- Vijaipur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mrs.Indu Kumari Srivastava

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

2      26-09-2019              The petitioner apprehends his arrest in connection with  
  
Vijaipur P. S. Case No. 119 of 2019 registered under Sections  
  
30(a) of the Bihar Prohibition and Excise Act.

Allegation against the petitioner, as per FIR, is that the police got secret information that petitioner along with other accused persons were indulged in trade of illicit liquor proceeded toward the place of occurrence and upon seeing the police, three persons tried to flee away, however, the police arrested two persons who disclosed the name of the petitioner. Upon search, the police recovered a total quantity of 10 litres illicit liquor beside flour mill of the petitioner and from vegetable field and further two litres of illicit liquor from two motorcycles.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case inasmuch as from perusal of FIR, it appears that illicit liquor has been recovered from open



space i.e., vegetable field situated nearby the flour mill of the petitioner and further from two motorcycles which do not belong to the petitioner. Learned counsel further submits that from perusal of the FIR and the seizurelist, it is evident that illicit liquor has not been recovered from the conscious possession of the petitioner or the place belonging to the petitioner.

Having regard to the submissions made by the parties and taking into consideration the fact that no illicit liquor has been recovered from the possession of the petitioner or the premises belonging to him, as such I am inclined to grant anticipatory bail to the petitioner. Let the petitioner, abovenamed, 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 Addl. Sessions Judge-II-cum-Special Judge, Excise, Gopalganj in connection with Vijaipur P.S.Case No. 119 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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