

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79741 of 2019

Arising Out of PS. Case No.-479 Year-2019 Thana- JAKKANPUR District- Patna

CHANARIK RAY Son of Late Ramji Ray Resident of Village - Jadua, P.S.-
Biddupur, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad
For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 12-12-2019 Heard the learned counsel for the petitioners and the
learned APP for the State.

The petitioners apprehend their arrest in connection with Special Case No. 6835 of 2019 arising out of Jakkanpur P.S. Case No. 479 of 2019 for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

The allegation is regarding recovery of 13 liters of illicit liquor from the co-accused person, namely, Sunny Kumar and upon interrogation by the police, he is said to have disclosed that the petitioner had given the said illegal wine to him for sale.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted that no



recovery has been made either from the petitioner or from his house, hence, the provisions of the Bihar Prohibition and Excise Act, 2016 are not attracted in the present case.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner above named is directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No. 6835 of 2019 arising out of Jakkanpur P.S. Case No. 479 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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