

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65448 of 2019

Arising Out of PS. Case No.-130 Year-2019 Thana- GOPALPUR District- Gopalganj

HARESH RAI, son of late Maharaj Rai, Resident of village- Gopalpur, P.S.-
Gopalpur, Dist.-Gopalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-11-2019 The petitioner apprehends his arrest in connection with
Gopalpur P.S.Case No. 130 of 2019 registered under Sections
272, 273 and 420 of the Indian Penal Code and 30(a), 35 and 38
of the Bihar Prohibition and Excise Act.

Allegation against the petitioner, as per FIR, is that the
police upon secret information proceeded towards the place of
occurrence and recovered a total quantity of 15 litres of illicit
liquor kept in a gunny bag in front of the hut of the petitioner.

Learned counsel for the petitioner submits that petitioner
has got no criminal antecedent and has falsely been implicated
in this case on the basis of secret information by the police. He
further submits that no illicit liquor has been recovered from the
conscious possession or the premises belonging to the petitioner
rather the same has been recovered in front of the hut of the



petitioner and by the side of the road.

Having regard to the submissions made by the parties and taking into consideration the fact that no recovery has been made from the possession of the petitioner or the premises belonging to the petitioner and he has got no criminal antecedent 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, Gopalganj in connection with Gopalpur P.S.Case No. 130 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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