

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65428 of 2019

Arising Out of PS. Case No.-230 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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AMIT KUMAR Son of Late Yogendra Singh Resident of Village - Raysingha,
P.S.- Muffasil, Distt - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-11-2019 The petitioner apprehends his arrest in connection with

Muffasil P.S.Case No. 230 of 2019 registered under Sections

272 and 273 of the Indian Penal Code and 30(a), 32 and 41(1) of

the Bihar Prohibition and Excise Act.

Allegation against the petitioner, as per FIR, is that the

police got secret information that petitioner has kept illicit

liquor near the pond of Harendra Singh, proceeded towards the

place of occurrence and recovered a total quantity of 351 litres

of liquor near the pond of Harendra Singh.

Learned counsel for the petitioner submits that petitioner

has falsely been implicated in this case merely on the basis of

secret information that petitioner has brought the consignment

of illicit liquor. He submits that petitioner has got no criminal

antecedent and illicit liquor has been recovered from an open



space near pond and not from the conscious possession or the premises belonging to the petitioner.

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 9th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran in connection with Muffasil P.S.Case No. 230 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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