

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65289 of 2019

Arising Out of PS. Case No.-178 Year-2019 Thana- HUSSAINGANJ District- Siwan

Umashankar Sahani, Gender- Male aged about 35 years, Son of Swaminath Sahani @ Shwaminath, Resident of Village-Salonepur Sahani Tola, Police Station-Hussainganj, District-Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Adv.

For the Opposite Party/s : Ms. Veena Rani Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Hussainganj P.S. Case No. 178 of 2019 registered under section Sections 272, 273 of the IPC and 30(A) of Bihar Prohibition and Excise Amendment Act, 2016.

The prosecution story as per first information report is that the police on secret information proceeded towards the place of occurrence and recovered a total quantity of 49.86 liters of illicit liquor from the cow shed of one Swaminath and the name of the petitioner has been disclosed by the arrested co-accused person.

Learned counsel appearing for the petitioner submits that recovery of illicit liquor is from a cow-shed of Swaminath and



from Toyota Inova car standing near the said cow shed. Learned counsel further submits that the petitioner has committed no offence in the manner alleged. Learned counsel further submits that the petitioner has got no criminal antecedent and his name has been disclosed by the arrested co-accused person. Learned counsel further submits that the petitioner has no concern with the Toyota Inova car which was standing near the cow shed of one Swaminath and the illicit liquor has not been recovered from the conscious possession of the petitioner or from vehicle and premises 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 conscious possession of the petitioner or the vehicle and premises belonging to the petitioner, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Session Judge, Second, Siwan, in connection with Hussainganj P.S. Case No. 178 of 2019, subject to the condition as laid down under Section



438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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