

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65298 of 2019

Arising Out of PS. Case No.-213 Year-2018 Thana- BHAGWANPUR District- Vaishali

Mallu Sah Male, aged about 37 years, Son of Madhusudan Sah @
Madhusudan Prasad, Resident of Village- Rasulpur Sohavan @ Rusulpur
Sohawan, P.S.- Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Adv.

For the Opposite Party/s : Mr. Satyadeo Singh Yadav, 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 Bhagwanpur P.S. Case No. 213 of 2018 registered under
section 30(a) of Bihar Excise Prohibition Amendment Act, 2018
@ Bihar Prohibition and Excise Act 2018.

The allegation against the petitioner is that the police
raided the house of one Santosh Kumar and recovered a total
quantity of about 16 liters of illicit liquor from the house of said
Santosh Kumar, who upon arrest disclosed the name of the
petitioner as one of the supplier.

Learned counsel appearing for the petitioner submits



that the petitioner has not committed any offence in the manner alleged and has got no criminal antecedent. Learned counsel for the petitioner further submits that the name of the petitioner has been dragged merely on the basis of the statement made by arrested co-accused person. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession of the petitioner or 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 premises belonging to the petitioner and the petitioner has got no criminal antecedent, 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 Sessions Judge-II- cum Excise Court, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 213 of 2018, subject



to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

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