

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71614 of 2019

Arising Out of PS. Case No.-451 Year-2019 Thana- TURKAULIYA District- East
Champaran

=====

Amit Kumar @ Amit Kumar Prasad, S/o Sanjay Prasad, R/o village- Belwa
Ray, Khas, P.S.- Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar
For the Opposite Party/s : Mr.Kanhaiya Kishore(APP)

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Turkaulia P.S. Case No.451 of 2019, for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The allegation against the petitioner as per the First
Information Report is that the police got information that co-
accused, Bharat Kumar, was indulged in illegal trade of illicit
liquor proceeded towards the place of occurrence. Upon seeing
the police party, two persons started fleeing away and the police
identified the petitioner as one of the person who fled away
from the place of occurrence. The police recovered a total



quantity of 123.84 litres of illicit liquor from the bamboo field of Arjun Sah.

Learned counsel appearing for the petitioner submits that petitioner has got no criminal antecedent and has falsely been implicated in this case on the basis of the identification by the police. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner inasmuch as from perusal of the seizure list, it appears that illicit liquor has been recovered from the bamboo field of one Arujun Sah.

Having heard learned counsel for the parties and taking into consideration the fact that petitioner has got no criminal antecedent and no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he 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 learned 9th



Additional Session Judge-cum-Special Judge, Excise Act, East
Champan, Motihari, in connection with Turkaulia P.S. Case
No.451 of 2019, subject to the condition as mentioned under
Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

sanjeev/-

U		T	
---	--	---	--

