

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72722 of 2019

Arising Out of PS. Case No.-182 Year-2019 Thana- NASRIGANJ District- Rohtas

Shubham Kumar, Son of Awadesh Singh Resident of Village- Itimha, Post-
Karma Itamha, P.S.- Nasriganj, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking anticipatory bail
in connection with Nasriganj P.S. Case No.182 of 2019
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. Learned counsel submits that there is no recovery from the
possession of this petitioner.

Learned APP for the State is present and has opposed
the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case
wherein it is the submission of learned counsel for the petitioner



that the present case is concocted one as it is difficult to understand that when the police party was conducting a raid in the house of one Manoj Singh who is co-villagers of this petitioner, the petitioner kept on waiting for arrival of police force at his home and on seeing the police party he has placed the illicit liquor in his room and fled away, the further submission that the police has concocted this story, there is no independent seizure list witness as both the witnesses on the seizure list are the members of the raiding party, the copy of seizure list was not made available to any of the members of the family of this petitioner as also that the petitioner has no criminal antecedent, let the petitioner in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Nasriganj P.S. Case No.182 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;



(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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