

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72979 of 2019

Arising Out of PS. Case No.-137 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Lobhit Rai @ Lobhit Ray Son of Chhatu Ray Resident of Village-Mothaha
Fakirana (Motha Fakira) P.S.-Minapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad, Advocate

For the Opposite Party/s : Mr. Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Excise Case No. 137 of 2019 (P.R. No. 44, Muzaffarpur)
for the offence registered under Sections 30(a) of Bihar
Prohibition & Excise Act, 2016.

The allegation as per the prosecution story alleged by
the excise officials is that the excise officials, on the basis of
secret information, proceeded towards the place of occurrence
and recovered a total quantity of 2604 litres of illicit foreign
liquor of different brands from a Truck bearing registration No.
PB-13AW-8486 and pick-up van and also arrested two persons
from and near Sheohar Pond.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the instant case on the



basis of secret information. Learned counsel further submits that the petitioner has got no criminal antecedent and no illicit liquor has been recovered from the conscious possession or vehicle belonging to the petitioner. Learned counsel further submits that the petitioner is not the owner of the truck as well as pick-up van from where the alleged recoveries were made.

Having heard learned counsel for the parties and taking into consideration the facts that the petitioner has got no criminal antecedent and nothing recovered from possession or vehicle belonging to the petitioner, I am inclined to grant anticipatory bail to the petitioner. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within four weeks, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Special Judge, Excise, Muzaffarpur, in connection with Excise Case No. 137 of 2019, (P.R. No.44, Muzaffarpur), subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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