

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77624 of 2019

Arising Out of PS. Case No.-44 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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PRIYANSHU KR. TIWARI @ PRIYANSHU KUMAR Son of Late Kaushal
Kumar Tiwari @ Kaushal Kishore Tiwari Resident of Village - Nathanpura,
Post - Bharatpura, P.S.- G.B. Nagar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Aslam Ansari

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-12-2019

This application, for grant of anticipatory bail,

arises out of Excise Case No. C-III-44/19 (Trial No. 4485/19),

disclosing offences under Sections 30(a) of the Bihar

Prohibition of Excise Act, 2016.

Allegation as per prosecution report is of recovery of

173 litres of foreign liquor from the abandoned house of one

Om Prakash Singh. It further appears that earlier, the petitioner

was not named in the report but later on his name transpired in

course of investigation.

Submission of learned counsel for the petitioner is

that he has no criminal antecedent and has falsely been made

accused in this case and co-accused, namely, Sabe Kumar

Tiwari @ Sabhay tiwari, who was named in the F.I.R. has been



granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 22.07.2019 passed in Cr. Misc. No. 28156 of 2019.

Learned counsel for the State opposed the prayer for anticipatory bail, however, he could not satisfy the court as to what are the materials against the petitioner.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -II-cum-Special Judge, Excise, Siwan, in connection with Excise Case No. C-III-44/19 (Trial No. 4485/19), subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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