

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77674 of 2019

Arising Out of PS. Case No.-828 Year-2019 Thana- MADHEPURA District- Madhepura

SATISH KUMAR Son of Muneshwar Yadav Resident of Village - Near
Railway Station, Mathahi, Ward No.-04, P.S. and District- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that there is no recovery from the conscious possession of the petitioner rather 73.890 litres of foreign made liquor has been recovered from the car. He submits that the petitioner is the owner of the car. He further submits that the petitioner has one criminal antecedent i.e. Purani P.S. Case No. 171 of 2019 under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

In the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner, subject to



deposit of Rs. 20,000/- in the court below and on deposit of the aforesaid amount, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Madhepura in connection with Madhepura Police Station Case No. 828 of 2019 corresponding to Excise Act Case No. 1041 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Such deposit of Rs. 20,000/- shall abide by the outcome of the present pending criminal case.

(Anjani Kumar Sharan, J)

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