

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80685 of 2019

Arising Out of PS. Case No.-301 Year-2019 Thana- DIGHWARA District- Saran

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RUPESH SAH Son of late Ram Chandra Sah Resident of Unhachak, P.S.-
Dighwara, District- Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan

For the Opposite Party/s : Mr.Murli Dhar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-12-2019 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Dighwara P.S. Case No. 301 of 2019 registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a), 37, 41 of the Prohibition and Excise Act, 2016.

The allegation is regarding recovery of huge quantity of illicit liquor from a Bolero pickup van standing in front of the house of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case inasmuch as neither the Bolero vehicle nor the illicit liquor belongs to the petitioner and moreover, the same



have also not been recovered from the house of the petitioner, hence, the provisions of the Bihar Excise and Prohibition Act, 2016 are not attracted in the present case. The petitioner is stated to be having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge 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/production of a copy of this order, 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 learned 2nd Additional Sessions Judge cum Special Judge Excise Act, Saran in connection with Dighwara P.S. Case No. 301 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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