

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82281 of 2019

Arising Out of PS. Case No.-211 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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SONU KUMAR @ NAVLESH KUMAR Son of Sri Suresh Singh Resident of
Village - Bajitpur, P.S.- Pipra, Distt – Patna. Petitioner/s
Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar
For the Opposite Party/s : Mr.Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-12-2019 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 Special case no. 8934 of 2019 registered for
the offences punishable under Sections 30 (a), 32(1)(3), 41(1),
41(2) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding the police, upon receiving
secret information, had arrived at the place of occurrence, from
where a Maruti Suzuki vehicle was apprehended and 178 liters of
illicit foreign liquor was recovered and from the spot, co-accused
person namely Santu Kumar was apprehended whereafter he is stated
to have disclosed the name of the other accused persons who
had fled away from the alleged place of occurrence.

The learned counsel for the petitioner submits
that neither any recovery has been made from the petitioner nor from



his house nor the petitioner has been arrested from the spot and the fact is that admittedly, illicit liquor has been recovered from the co-accused person namely Santu Kumar, hence it is stated that the provisions of the Bihar Prohibition and Excise Act, 2016 are not attracted in the present case. The petitioner is said to be having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, 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, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special case no. 8934 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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