

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80620 of 2019

Arising Out of PS. Case No.-485 Year-2019 Thana- ISLAMPUR District- Nalanda

MODAN YADAV @ ANIL KUMAR SINHA @ MADAN YADAV Son of
Mundrika Yadav @ Mundrika Sinha Resident of Village - Gopalganj, P.S.-
Islampur, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakti Suman Kumar, Adv
For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 09-12-2019 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

Informant who is police officer has alleged in his
written report that on 13.10.2019 while he was on patrolling
duty he received information that petitioner Modan Yadav and
others are engaged in the trade of illicit liquor and on receiving
said information he reached the place of occurrence near
chimney bhatta where 8 to 10 persons had assembled, however,
on seeing the police party they fled away and on search of the
room, 50 litres of country made illicit liquor was recovered.

It has been submitted on behalf of the petitioner that



he is innocent and has been falsely implicated in this case due to animosity and village rivalry. It has been further submitted that neither any illicit liquor has been recovered from his possession nor he was apprehended at the spot, as such no offence under Excise Act is made out. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above in the event of his/her arrest or surrender before the court below within a period of four weeks, be released on anticipatory bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Islampur P.S. Case No. 485 of 2019**, subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(S. Kumar, J)

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