

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80960 of 2019

Arising Out of PS. Case No.-712 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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SINTU KUMAR Son of Late Devki Singh Resident of Village - Charai Tola
Nwaadih, P.S.- Hanterganj, Distt - Chatra (Jharkhand)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh
For the Opposite Party/s : Mr.Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-12-2019 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Excise P.S. Case No. 712 of 2019 for the offence registered
under Section 30(a) of the Bihar Prohibition of Excise Act,
2016.

The allegation is regarding recovery of 20 litres of
illicit liquor from the co-accused person, namely, Pradeep
Yadav and the name of the petitioner is stated to have transpired
on account of the disclosure made by the said co-accused person
in his confessional statement before the Police.

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



his house and merely his name has been disclosed by the arrested co-accused person, hence, no offence is made out under the Bihar Prohibition of Excise of Act, 2016. It is further submitted that the petitioner is having a clean antecedent.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Gaya in connection with Excise P.S. Case No. 712 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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