

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80957 of 2019

Arising Out of PS. Case No.-191 Year-2019 Thana- JOGAPATTI District- West Champaran

Amit Sah @ Amit Kumar, aged about 35 years, Male, Son of Pramod Sah @ Pramod Prasad, Resident of Village - Dumri, P.S.- Yogapatti, District.- West Champaran at Bettiah.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Adv.
For the Opposite Party/s : Mr.Bishweshwar Ram (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 10-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, apprehends his arrest registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
& Excise Act.

Informant has alleged that on specific information
he reached Dumri Nahar Saifan from where two drums of spirit
was recovered which was seized and the chaukidar informed
that the said spirit belongs to FIR named accused including
petitioner.

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. Neither any illicit spirit has



been recovered from his possession or from his house nor he was apprehended on the spot, as such, no offence under Excise Act is made out. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the present case, let petitioner, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on pre-arrest bail on furnishing bail bond of Rs. 20,000/- (twenty thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, West Champaran at Bettiah, in connection with Yogapatti P.S. Case No. 191 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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