

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80690 of 2019

Arising Out of PS. Case No.-81 Year-2018 Thana- KHIRHAR District- Madhubani

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SUJIT KUMAR @ SUJIT SHARMA @ SUJEET SHARMA @ SUJEET KUMAR Son of Bharosi Sharma @ Vijay Thakur Resident of Village - Gangaur, P.S.- Harlakhi, Distt - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh

For the Opposite Party/s : Mr.Amarendra Prasad

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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.

The petitioner apprehends his arrest in connection with Khirhar P.S. Case No. 81 of 2018, G.R. No. 1797 of 2018 for the offence registered under Section 411 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 33 litres of illicit liquor from the co-accused person from his motorcycle.

The learned counsel for the petitioner submits that the petitioner has got no concern either with the illicit liquor or the motorcycle and moreover no recovery has been made from his possession or his house, hence the provisions of the Bihar



Excise and Prohibition Act, 2016 are not applicable in the present case. 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani, District-Madhubani in connection with Khirhar P.S. Case No. 81 of 2018, G.R. No. 1797 of 2018 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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