

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82100 of 2019**

Arising Out of PS. Case No.-202 Year-2019 Thana- BHANGWANPUR HAT District- Siwan

=====

UMESH RAI @ UMESH YADAV Son of Bhikhu Rai @ Bhikhan Rai  
Resident of Village - Mohamada, P.S.- Bhagwanpur Hat, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Amarendra Prasad

=====

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      11-12-2019                      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 Bhagwanpur Hat PS case no. 202 of 2019  
registered for the offences punishable under Sections 30 (a) and  
41(1) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 7.2 liters  
of illicit liquor from behind the house of the petitioner.

The learned counsel for the petitioner submits  
that neither any recovery has been made from the possession of  
the petitioner nor from the house of the petitioner, hence  
provisions of Bihar Prohibition and Excise Act, 2016 are not  
attracted in the present case. It is further submitted that the  
petitioner has been falsely implicated in the present case and is



having a clean antecedent.

Having regard to the facts and circumstance 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 2<sup>nd</sup> Additional Sessions Judge-cum-Special Judge, Excise Act, Siwan in connection with Bhagwanpur Hat PS case no. 202 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

rinkee/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

