

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.81112 of 2019**

Arising Out of PS. Case No.-28 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.  
District- Araria

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BHARAT RESHIDEO @ BHARAT RISHIDEO Son of Tulo Reshideo @  
Tulo Rishidev Resident of Village - Jayprakash Nagar, Ward No.07, P.S.-  
Araria, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Murli Dhar

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY  
ORAL ORDER**

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

The petitioner has prayed for bail in connection with  
Sadar Circle Excise Case No. 28 of 2018 corresponding to  
Special Case No. 743 of 2018 registered for the offence  
punishable under section 30(a)(d) of the Indian Penal Code.

As per allegation in the FIR, 3 litres of country liquor  
is said to have been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner  
that no recovery as alleged has taken place nor was the  
petitioner arrested from the spot. It is further submitted that  
petitioner had earlier moved before this Court for anticipatory  
bail in criminal miscellaneous no. 53112 of 2018 and had been



granted anticipatory bail vide order dated 04.09.2018. It is submitted that unfortunately the antecedent of the petitioner could not be stated correctly in the petition filed on his behalf in Cr. Misc. No. 53112 of 2018 and, as such, subsequently by order dated 17.09.2019 passed in Cr. Misc. No. 53112 of 2018, the anticipatory bail granted to the petitioner by order dated 04.09.2018 was cancelled and he was directed to surrender in the court below within a period of four weeks. It is further submitted that the petitioner surrendered in the court below within the time fixed by the aforesaid order and he is in custody since 14.10.2019.

The application for bail is opposed by learned APP for the State stating that petitioner has a number of cases against him.

Having heard learned counsel for the parties and taking into consideration the fact that on one occasion the petitioner had been enlarged on anticipatory bail, however, the same was cancelled because of incorrect information provided in his petition as also the fact that the petitioner is in custody since 14.10.2019, having surrendered in the court below as per direction of this Court, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be



enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 2<sup>nd</sup> Additional District & Sessions Judge-cum-Special Judge, Araria in connection with Sadar Circle Excise Case No. 28 of 2018 corresponding to Special Case No. 743 of 2108.

**(Partha Sarthy, J)**

sushma/-

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