

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81646 of 2019

Arising Out of PS. Case No.-52 Year-2019 Thana- NAYAGAON District- Begusarai

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GULSHAN KUMAR Son of Krishnandan Singh Resident of Village - P.S.-
Nayagaon, Distt - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shree Niwas Singh
For the Opposite Party/s : Mr.Rita Verma

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Nayagaon P.S. Case No. 52 of 2019, registered for the offence punishable under section 120B of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation made in the F.I.R., it is stated that 557.920 litres of IMFL was recovered from a truck, 313.200 litres of IMFL was recovered from a Bolero and 18 litres of IMFL was recovered from a motorcycle. Co-accused Jitendra Kumar further disclosed that he had concealed 442.00 litres of IMFL in a field and the said land belongs to the petitioner.

It is submitted by learned counsel for the petitioner



that he has no concern with the seized liquor nor any of the vehicle. Nothing was recovered from the actual physical possession of the petitioner, who has no criminal antecedent.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner and he is directed to surrender in the court below within a period of six weeks from today and in the event of his arrest or surrender, he shall be enlarged on bail 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 2nd cum-Special Judge, Excise, Begusarai in connection with Nayagaon P.S. Case No. 52 of 2019, subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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