

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82928 of 2019

Arising Out of PS. Case No.-255 Year-2019 Thana- NADI P.S. District- Patna

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Sudheer Kumar @ Sudheer Rai Son of Mukhia @ Devendra Ram Resident of
Village - Kripal Tola, P.S.- Nadi, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Pratyush Kumar, Advocate

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking anticipatory
bail in connection with Nadi P.S. Case No. 255 of 2019, Special
No. 9158 of 2019 registered for the offences punishable under
Sections 30 (a) of the Bihar Prohibition of Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case and has
committed no offence. It is further submitted that on the secret
information the informant raided on the spot at 1:40 A.M. and
saw about 3-4 people escaped after seeing the police then the
informant searched the vehicle on the spot then about 714 liters
of liquor was recovered from the Tempo hence the instant FIR
has been lodged.



Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of this case, wherein the name of this petitioner has been mentioned in the FIR on the basis of a so-called secret information to police that he along with one person had been involved in transportation of illicit liquor through a Tempo but on interception of the said Tempo though illicit liquor were recovered but two persons who were there fled away, but save and except the secret information no other material has been brought to the notice of this Court, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Patna in connection with Nadi P.S. Case No. 255 of 2019, Special No. 9158 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or



indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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