

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84490 of 2019

Arising Out of PS. Case No.-286 Year-2019 Thana- GAIGHAT District- Muzaffarpur

SUDHIR KUMAR Son of Ram Babu Rai @ Ram Babu Prasad Yadav
Resident of Village- Susta Tok, P.S.- Gaighat (Benibad O.P.), Distt-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 19-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in a case registered
under Sections 272, 273, 414 and 120(B) of the Indian Penal
Code and 30(a), 38 and 41 of the Bihar Prohibition and Excise
Amendment Act, 2016.

Informant is the police officer who has alleged in
his self statement that on receiving specific information
that one Scorpio vehicle loaded with liquor is moving
towards a village and on receiving said information police
intercepted the vehicle and one person tried to flee away but he
was apprehended on chase who disclosed his name as Sanjay
Kumar @ Sanjay Rai who also disclosed the name of
other miscreants who fled away including name of



petitioner.

It has been submitted on behalf of petitioner that petitioner has no criminal antecedent and he has been made accused on the basis of animosity and village rivalry. Nothing was recovered from his possession or his house and neither he was apprehended on the spot, as such, no offence under the excise act is made out against him.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Gaighat (Benibad O.P.) P.S. Case No. 286 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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