

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84679 of 2019

Arising Out of PS. Case No.-479 Year-2019 Thana- MAHUA District- Vaishali

Arjun Singh Son of Late Ramphal Singh Resident of Village - Mahua Singh
Rai Paschimi Tola, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Paswan

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

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

The petitioner has filed the instant application for anticipatory bail apprehending his arrest in a case registered for the offence under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the allegation in the FIR, 41 litres of IMFL is said to have been recovered in course of being unloaded from a pick-up van in a land of the petitioner. It is stated that two persons were arrested who stated that they do the business of illicit liquor with the assistance of this petitioner.

It is submitted by learned counsel for the petitioner that the allegation of recovery of the alleged liquor from the land of the petitioner is false and concocted and no such recovery has taken place. Besides the confessional statement of



the co-accused before the police which has no evidentiary value
there is no other material against the petitioner and the petitioner
has no criminal antecedent.

The application for bail has been opposed by learned
APP for the State.

Having heard learned counsel for the parties and
taking into consideration the facts and circumstances of the case
including the fact that the petitioner was neither arrested at the
spot nor the petitioner has any criminal antecedent, the Court is
inclined to enlarge the petitioner on bail. The petitioner, above
named, in the event of his arrest or surrender in the court below
within a period of six weeks from today in connection with
Mahua P.S. Case no. 479 of 2019 is directed to be enlarged on
bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten
Thousand) with two sureties of the like amount each to the
satisfaction of the learned Addl. Sessions Judge II-cum-Excise
Court, Vaishali at Hajipur subject to the conditions as laid down
in section 438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

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