

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84978 of 2019

Arising Out of PS. Case No.-496 Year-2019 Thana- BARAUNI District- Begusarai

GAUTAM KUMAR Son of Shyam Kishore Ray Resident of Village - Harpur,
P.S.- Barauni (Refinery), Distt - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in a case registered
under Sections 30(a) of Bihar Prohibition and Excise Act, 2016.

Informant who is the police officer has alleged that
while he was on night patrolling duty, he saw three miscreants
carrying illicit liquor in a sack over their head and as they saw
police threw the sack and fled away and after search 30 litres of
foreign liquor was recovered from the sack and the villagers
disclosed the name of miscreants who are involved in trade of
illicit liquor which included the name of petitioner.

It has been submitted on behalf of petitioner that he
has no criminal antecedent and the recovered illicit liquor does
not belong to him nor he is concern with the trade of illicit



liquor and has been falsely implicated in this case due to animosity and village rivalry. Neither he has been arrested on the spot nor any illicit liquor has been recovered from his house or his conscious possession.

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 Barauni P.S. Case No. 496 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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