

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.487 of 2020

Arising Out of PS. Case No.-36 Year-2019 Thana- MAHINDWARA District- Sitamarhi

SUNIL RAI Son of Jalim Rai Resident of Village - Chakki Rampur, P.S.-
Mahindwara, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr.Ram Bachan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 09-06-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Mahindwara P.S. Case No.36 of 2019 registered under Sections 30(a), (b), (c), (f), 34, 36 and 41 of the Bihar Prohibition and Excise Act.

The S.H.O., Mahindwara raided a place situated in Korlahiya Buffalo Market and under the straw some liquor was recovered. The persons assembled there disclosed the name of the petitioner and two others. The people are said to have disclosed that the petitioner had kept the liquor and they are indulged in manufacturing the liquor.

The learned counsel for the petitioner submits that from perusal of the seizure list, it would appear that the recovery was made from a place situated in Buffalo market near the Kali temple. There is nothing to show that petitioner is indulged in



any sort of trade of liquor. The informant did not disclose the name of the person from whom he came to know the name of the petitioner.

Thus, I find that the petitioner deserves anticipatory bail as nothing has been recovered from the conscious possession of the petitioner. Accordingly, prayer for anticipatory bail of the petitioner is allowed.

Taking into consideration the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released 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 Additional Sessions Judge II-cum-Special Judge, Excise Act, Sitamarhi in connection with Mahindwara P.S. Case No.36 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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