

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.926 of 2020

Arising Out of PS. Case No.-848 Year-2019 Thana- MADHAURAH District- Saran

AMAR NUT Son of Late Chhathu Nut Resident of Village - Pakaha Nut Toli,
Behind High School, P.S. - Marhowrah, District - Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Marhowrah P.S. Case No. 848 of 2019, registered for the offence punishable under sections 30 and 30(a) of the Bihar Prohibition and Excise Act.

As per allegation in the FIR, on receiving secret information a raid was conducted and from a field, 385 litres of spirit said to be belonging to one Arun Pandey was recovered. It is further stated that two persons were seen fleeing away and one of them was later identified as being the petitioner.

It is submitted by learned counsel for the petitioner that the allegations as levelled against the petitioner in the FIR



are false and concocted. No recovery of incriminating article has taken place from possession of the petitioner. He has no concern either with the said Arun Pandey or with the recovered articles and the petitioner has no criminal antecedent.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of his arrest or surrender in connection with Marhowrah P.S. Case no. 848 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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