

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1837 of 2020

Arising Out of PS. Case No.-118 Year-2019 Thana- TELHARA District- Nalanda

VIKASH KUMAR Son of Late Janardan Singh Resident of Village - Libri,
P.S. - Telhara, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Shankar
For the Opposite Party/s : Mr.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Telhara PS case no. 118 of 2019 registered for the offences punishable under Section 30 (a) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 33 liters of illicit liquor from behind the *Panchayat Bhawan* and the petitioner was found fleeing away from the place of occurrence.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that neither any recovery of illicit liquor has been made from the possession of the petitioner nor the place, from where the illicit liquor has been recovered, belongs to the petitioner, hence no offence under the



provisions of the Bihar Prohibition and Excise Act, 2016 is made out.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner as also taking into account the fact that *prima facie* this Court is of the opinion that no offence, as alleged, is made out under the provisions of Bihar Prohibition and Excise Act, 2016, as far as consideration of the present petition is concerned, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Nalanda at Biharsharif in connection with Telhara PS case no. 118 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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