

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3887 of 2020

Arising Out of PS. Case No.-68 Year-2019 Thana- MINAPUR District- Muzaffarpur

Subodh Kaushik Son of Late Rajkaran Sah Resident of Village -
Khanezadpur, P.S.- Minapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Parasmani

For the Opposite Party/s : Mr.Jagdhari Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-01-2020 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 Minapur PS case no. 68 of 2019 registered for the offences punishable under Sections 272, 273 of Indian Penal Code 30 (a), 38, 41, 48 of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 58.500 liters of illicit liquor from the ground floor of the under- construction house of the petitioner.

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 since the petitioner does not reside in the under-construction house, it cannot be said that the illicit liquor belongs to the petitioner herein and as the construction work was being carried out, it might be possible that the



labour at site, would have kept the illicit liquor at the premises.

Having regard to the facts and circumstances of the case, this Court, upon a bare perusal of F.I.R., finds that no offence punishable under the provisions of the Bihar Prohibition and Excise Act, 2016 is made out, as far as consideration of the present bail petition of the petitioner is concerned, on account of the fact that illicit liquor has been recovered from the under-construction house of the petitioner. Accordingly, 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, Muzaffarpur in connection with Minapur PS case no. 68 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

