

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17081 of 2020

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Ashutosh Kumar @ Ashutosh Kunwar S/o Arun Kumar resident of village
Kishunpur P.S Jalalpur District Saran Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satyendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 9-09-2020 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The petitioner has filed the instant application for
grant of anticipatory bail apprehending his arrest in connection
with Jalalpur P.S. Case no. 131 of 2019 registered under section
30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, information was received
by the informant that the accused along with his motorcycle was
caught and 375 ml of illicit liquor was recovered from the
'dicky' of his motorcycle. It is further stated that the driver of
the motorcycle Ashutosh Kumar, petitioner herein managed to
escape.

It is submitted by learned counsel for the petitioner
that the allegation of recovery is false. It is submitted that from
the seizure list, the alleged place of recovery is 100 yards from



the house of the petitioner. In any case of the matter the alleged place of recovery is a public road. The petitioner has no criminal antecedent.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and on going through the facts and circumstances of the case together with the petitioner not having any criminal antecedent, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Jalalpur P.S. Case no. 131 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 District Judge-cum-Special Judge, Excise Act, Saran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

Prakash/-

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