

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5104 of 2020

Arising Out of PS. Case No.-440 Year-2019 Thana- GORAUL District- Vaishali

Sushil Kumar Son of Rajkumar Ray @ Raj Kumar Rai Resident of Village -
Sondho Rati, P.S.- Goraul, Dist.- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Paswan

For the Opposite Party/s : Mr.Bharat Lal

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Goraul P.S. Case No. 440 of 2019 registered for the offences
punishable under Sections 272, 273 of the Indian Penal Code
and Section 30(a) of Bihar Prohibition and Excise Act, 2018.

The alleged recovery is said to have been made near a
bamboo clump but informant claims that petitioner was seen
fleeing from the place of occurrence at the time of alleged raid
and the name of petitioner was disclosed by local chowkidar.

Admittedly, nothing was recovered from conscious
possession of the petitioner nor from his house and moreover,
there is nothing in the first information report to corroborate this



fact that petitioner was engaged in trade of liquor. Petitioner does not have any criminal antecedent. Therefore, in my view, this anticipatory bail petition is maintainable.

Accordingly, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II cum Excise Court, Vaishali at Hajipur in Goraul P.S. Case No. 440 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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