

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8719 of 2020**

Arising Out of PS. Case No.-180 Year-2019 Thana- CHERIYA BARIYARPUR District-
Begusarai

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RAUSHAN KUMAR @ CHIMPU SINGH @ CHIMPU KUMAR Son of
Amar Kumar @ Pintu Singh Resident of Village - Manjhaul Ward No. 07
Purwari Tola, P.S.- Cheriya Bariyarpur, District - Begusarai... .. Petitioner/s
Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shree Niwas Singh
For the Opposite Party/s : Mr.Anita Kumari

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 29-02-2020 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 Cheriya Bariyarpur PS case no. 180 of 2019
registered for the offences punishable under Section 30(a) of
Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of huge
quantity of illicit liquor from an open field situated at village
Manjhaul as also from a pick-up van and a Bolero vehicle.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, has a fair antecedent
except one case, in which he is on bail and has been falsely
implicated in the present case, inasmuch as it has been
categorically stated in paragraph no. 12 of the present petition
that the seized vehicles do not belong to the petitioner. It is thus



submitted that the provisions of the Bihar Prohibition and Excise Act, 2016 are not attracted against the petitioner.

Having regard to the facts and circumstances of the case, considering submissions made by the learned counsel for the petitioner as also taking in account the fact that *prima facie*, no case is made out as against the petitioner herein under the provisions of the Bihar Prohibition and Excise Act, 2016, upon a bare perusal of the FIR, 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 Additional Sessions Judge-II-cum-Special Excise Act, Begusarai in connection with Cheriya Bariyarpur PS case no. 180 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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