

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7597 of 2020

Arising Out of PS. Case No.-314 Year-2019 Thana- BIBHUTIPUR District- Samastipur

Rahul Kumar @ Abhranjan Kumar @ Abhiranjan Kumar, S/o Parmanand Singh @ Parmanand Mahto, Resident of Village- Belsandi Tara, Ward No.7, P.S.- Vibhutipur @ Bibhutipur, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.
Mr.Kumar Praveen, Adv.

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-03-2020 Heard learned senior counsel for the petitioner and learned APP for the State.

The petitioner in this case is seeking anticipatory bail in connection with Vibhutipur P.S. Case No.314 of 2019 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned senior counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned senior counsel submits that no illicit liquor has been recovered from the possession of this petitioner.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein the illicit liquor has been recovered from the orchard and not



from the house of this petitioner and further that the seizure list has been signed by the police personnel and not by any independent person, let the petitioner abovenamed in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge-cum-Speccial Judge (Excise), Samastipur in connection with Vibhutipur/Bibhutipur P.S. Case No.314 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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