

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16564 of 2020

Dildar S/o Kalimuddin @Shah Kalim resident of village Salgori Colony P.S.
Sikty District Araria. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Ms. Renuka Ratnakar, APP

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 Sikty P.S. Case no. 83 of 2019 registered under sections 30(a), 38, 41 and 45 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, an accused threw the article he was carrying on his head and made an attempt to escape. It is stated that he was caught. Other persons made an attempt to free him. It is stated that on search 152 litres of Nepali liquor was recovered and he disclosed the name of five persons who had managed to escape, the petitioner being one of them.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. Neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his



possession. For the same occurrence two FIRs were registered. Besides these two cases the petitioner has no other criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the fact that the petitioner was neither arrested at the spot nor any incriminating article has been recovered from his possession and he has no 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 Sikty P.S. Case no. 83 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 Sessions Judge-cum-Special Judge, Araria subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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