

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8929 of 2020

Arising Out of PS. Case No.-124 Year-2019 Thana- MARANCHI District- Patna

Sikandar Kumar S/o Masudan Chaudhary R/o village- Nauragna Jalalpur,
P.S.- Maranchi (Panch Mahla O.P.), District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar, Adv.

For the Opposite Party : Mr.Ram Bachan Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-02-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection
with Maranchi (Panchmahla O.P.) P.S. Case No. 124 of 2019 for
the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The allegation is regarding the recovery of 3.200
liter of illicit liquor from the door of the petitioner.

The learned counsel for the petitioner has
submitted that the petitioner is innocent and has been falsely
implicated in the present case as also is having a clean
antecedent. It is submitted that the illicit liquor has neither been
recovered from inside the house of the petitioner nor from the
conscious possession of the petitioner, hence, provisions of the



Bihar Prohibition and Excise Act, 2016 are not attracted.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, I find that prima facie no offence is made out under the provisions of the Bihar Prohibition and Excise Act, 2016, hence, I deem it fit and proper to direct for release of the petitioner on anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner above named is directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/-(rupees ten thousand) with two sureties of the like amount to the satisfaction of learned Special Judge, Excise, Patna with Maranchi (Panchmahla O.P.) P.S. Case No. 124 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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