

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7927 of 2020

Arising Out of PS. Case No.-305 Year-2019 Thana- KALYANPUR District- East Champaran

AJAY RAM S/o Shankar Ram Resident of Village- Kamal Pakadi, P.S.-
Kalyanpur, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

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

Petitioner apprehends his arrest in a case registered
under Sections 272, 273/34 of the Indian Penal Code and
Section 30(a)41(i) of the Bihar prohibition and Excise Act,
2016.

Informant is the police officer, who in his self
statement has stated that he got information that a truck loaded
with huge quantity of liquor was about to be unloaded in
Dharmaha Pacs godown, he stopped the truck apprehended two
persons and some persons on motorcycle succeeded in fleeing
away and the apprehended accused persons disclosed their
names and the names of other co-accused including petitioner
and they stated that the liquor belongs to the other co-accused



including petitioner.

It has been submitted on behalf of petitioner that the petitioner is innocent and has been falsely implicated in this case on the basis of so called disclosure of apprehended co-accused. Petitioner was not apprehended on the spot not any illicit liquor has been recovered from the possession of petitioner, as such no offence is made out under Excise Act. He has no concern with the seized illicit liquor. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Kalyanpur P.S. Case No. 305 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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