

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8858 of 2020

Arising Out of PS. Case No.-21 Year-2020 Thana- DARAUNDA District- Siwan

VIKASH SINGH Son of Dinesh Singh Resident of Vill - Dibi, P.S. M.H. Nagar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr.Anant Kumar 1

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.

This is an application for grant of anticipatory bail in connection with Darondha (M.H.Nagar) P.S. Case No. 21 of 2020, registered for the offence punishable under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

The allegation is regarding the accused persons including the petitioner herein having engaged in unloading the illicit liquor from a truck and when they saw the police, they are stated to have fled away. Upon search, huge quantity of illicit liquor was recovered.

The learned counsel for the petitioner submits that the petitioner is innocent, he is having a clean antecedent and he



has no role to play in the alleged incident. It is further submitted that neither any recovery of illicit liquor has been made from the conscious possession of the petitioner nor from his vehicle and the vehicle in question does not belong to him, hence, the provisions of the Bihar Prohibition and Excise Act, 2016 are not attracted in the present case.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and upon a bare reading of the FIR, I find that prima facie no offence is made out under the provisions of the Bihar Prohibition and Excise Act, 2016 qua the petitioner herein, as far as the case of the petitioner for grant of anticipatory bail is concerned.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Session Judge II cum Special Judge, Excise Act, Siwan in connection with Darondha (M.H.Nagar) P.S. Case No. 21 of 2020, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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