

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9467 of 2020

Arising Out of PS. Case No.-191 Year-2019 Thana- RAGHUNATHPUR District- Siwan

Rambabu Ram, male, aged about 25 years, son of Late Ramsagar Ram,
resident of village- Rajpur, P.S. Raghunathpur, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Braj Kishore PD.(APP)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Raghunathpur P.S. Case No. 191 of 2019 registered for the
offence punishable under Section 30(a) / 38 of the Bihar
Prohibition and Excise Act, 2016.

The allegation against the petitioner as per the First
Information Report is that the Police on the basis of secret
information proceeded towards the place of occurrence and
recovered a total quantity of 118.800 liters of illicit liquor from
the maize field of one Raju Ram. It has further been alleged that
during the course of verification it has been found that the illicit
liquor was kept by the petitioner in the maize field for the
purposes of sale.



Mr. Ajay Kumar Tiwary, learned counsel appearing for the petitioner submits that petitioner has falsely been implicated in this case by the Police with oblique motive inasmuch as from perusal of the First Information Report and the seizure list, it would be evident that the illicit liquor has been recovered from the maize field belonging to Raju Ram and the petitioner has got no concern with the same. Learned counsel further submits that petitioner has been dragged in this case merely on the basis of the fact that upon verification Police came to know that the illicit liquor belongs to the petitioner. Learned counsel further submits that no illicit liquor has been recovered from his conscious possession or the premises belonging to him.

Having heard learned counsel for the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks from the date of receipt of a copy of this order, be released on anticipatory bail on furnishing bail bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd cum Special Judge, Excise, Siwan in connection with Raghunathpur P.S. Case No. 191 of 2019, subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

(Anil Kumar Sinha, J)

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