

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11427 of 2020

Arising Out of PS. Case No.-348 Year-2019 Thana- BALIYA District- Begusarai

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RABI KUMAR @ RAVI KUMAR Son of Lakshaman Chaudhary @
Lakshaman Bhagat @ Lakshmi Chaudhary Resident of Village -
Noorjamapur, P.S. Ballia, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Md. Shakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-06-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor representing the State, through

Video Conferencing.

This application for grant of anticipatory bail arises
out of Ballia Police Station Case No. 348 of 2019, disclosing
offence under Section 30 (a) of the Bihar Prohibition and Excise
Act, 2016.

The allegation against the petitioner, as per the First
Information Report, is that the police intercepted two persons,
who were riding on a motorcycle, and recovered 7.02 litres of
illicit liquor. It has further been alleged that on query, the said
persons disclosed that the liquor is meant for three persons,
including the petitioner.



Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case inasmuch as no illicit liquor has been recovered from the conscious possession or the vehicle belonging to the petitioner. He further submits that the petitioner has got no criminal antecedent and his name has been dragged in this case merely on the basis of the statement made by the arrested co-accused persons.

After having heard learned Counsel for the parties concerned and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession or the vehicle belonging to the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise Act, Begusarai, in connection with Ballia Police Station Case No. 348 of 2019, subject to the condition laid down under Section 438 (2) of the



Code of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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