

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11659 of 2020

Arising Out of PS. Case No.-536 Year-2019 Thana- CHAPRA MUFFASIL District- Saran

Wakil Rai Son of Late Anarsi Rai @ Late Anarsi Ray Resident of Village -
Sandha, P.S.- Chapra Muffasil, distt.- Chapra, Saran.

.. ... Petitioner/s

Versus

The State Of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 10-06-2020 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The petitioner has filed this application for grant of anticipatory bail in connection with Chapra Mufassil P.S. Case no. 536 of 2019 registered for offence under sections 272, 273 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on secret information having been received 50 litres of country liquor was recovered from co-accused Bipul Mahto and Ramesh Ram and it is stated that on enquiry they disclosed that they work for the petitioner.

It is submitted by learned counsel for the petitioner that except for the statement of co-accused made before the police, there is no other material against the petitioner. There has been no recovery from the petitioner and he has been falsely



implicated in the case.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that there has been no recovery from the person or possession of the petitioner and his name transpired in the confessional statement of co-accused made before the police, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Chapra Mufassil P.S. Case no. 536 of 2019 will be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran, Chapra subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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