

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11681 of 2020

Arising Out of PS. Case No.-539 Year-2018 Thana- BIDUPUR District- Vaishali

Rabish Kumar S/o Kishundev Singh @ Kisandev Singh R/o village- Mathura,
P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Singh
		Mr. Pawan Kumar Singh
For the Opposite Party/s :		Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in CNR No. BRVA010038432019, arising out of Bidupur P.S. Case No. 539 of 2018 registered for the offence under Sections 420, 120B of the Indian Penal Code, Section 72 of J.J. Act and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per prosecution case, there is recovery of total 1161 liters of Indian make foreign liquor from the house of petitioner.

It is submitted on behalf of petitioner that petitioner is innocent and has falsely been implicated in this case. The alleged recovery was made from the joint house of other family



members. It is further submitted that co-accused Gautam Kumar, from whose house 1242 liters of foreign liquor was recovered, has already been granted anticipatory bail by a coordinate Bench of this Court, vide order dated 07-03-2019 passed in Cr.Misc. No. 13732 of 2019 (Annexure – 2). The petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances, the bail application is allowed.

In the event of arrest or surrender within a period of six weeks from today, let the above-named petitioner be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IInd cum Excise Court, Vaishali at Hajipur in connection with CNR No. BRVA010038432019, arising out of Bidupur P.S. Case No. 539 of 2018, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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