

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11833 of 2020

Arising Out of PS. Case No.-1 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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Sohan Prasad @ Sohan Kumar S/o Lakhan Mahto @ Lakhan Kuiri Resident
of Village- Bagi Bardiha, P.S.- Warisaliganj, Distt- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Adv.

For the Opposite Party/s : Dr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 30-06-2020 Heard learned counsel for the petitioner and

learned APP for the State, through video conferencing.

The petitioner has filed the instant application for
grant of anticipatory bail apprehending his arrest in
connection with Government Official Case No. 01 of 2020,
registered under sections 30(a) and 56(d) of the Bihar
Prohibition and Excise Act, 2016.

As per allegation in the FIR, on secret information
having been received it is stated that search of vehicle
started. On search, 337.5 litre liquor was recovered from the
vehicle. It is further stated that on enquiry, the name of the
accused persons including the petitioner transpired.



It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. It is further submitted that neither the vehicle in question nor the liquor belongs to the petitioner. There is further inordinate unexplained delay from the date of recovery of the seized liquor to registration of the FIR. The petitioner has no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the submissions made on behalf of the petitioner, the Court is inclined to enlarge the petitioner on 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 Government Official Case no. 01 of 2020, he 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 Additional District Judge-II-cum-



Special Judge, Excise Act, Nawada subject to the condition
as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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