

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11920 of 2020**

Arising Out of PS. Case No.-202 Year-2019 Thana- PIYAR District- Muzaffarpur

Awadh Kishore Rai Son of Late Budhan Rai Resident of Village - Munni, P.S.
- Piar (Hatha O.P.), District - Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara, 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 Piar (Hatha O.P) P.S. Case no. 202 of 2019 registered for offence under sections 272, 273 and 120B of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on information having been received, on raid being conducted, it is stated that while the petitioner and two others managed to escape, a total of 50.490 litres of IMFL was recovered from the river.

It is submitted by learned counsel for the petitioner that the allegation of the seized liquor belonging to the petitioner is incorrect. The petitioner has no concern with the



same. It is further submitted that as per the seizure list the place of recovery of the liquor is behind the house of one Gagan Ram and 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 fact that the petitioner was not arrested at the spot and the place of recovery of the liquor is behind the house of one Gagan Ram, 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 Piar P.S. (Hatha OP) P.S. Case no. 202 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 Special Judge, Excise Act, Muzaffarpur subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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