

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12142 of 2020

Arising Out of PS. Case No.-231 Year-2019 Thana- BELHAR District- Banka

SUNIL DAS @ SUMIT DAS Son of Arjun Das, Resident of Village-
Bagdhasba, P.S.- Belhar, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 12-06-2020 Heard learned counsel for the petitioner and learned
counsel for the State through the virtual court proceeding.

In this case, the petitioner is seeking anticipatory bail in connection with Belhar P.S. Case No.231 of 2019 registered for offence punishable under section 30 (a) (g) of the Bihar Prohibition and Excise Act, 2016 and section 3 of Mahua Flowers Rules.

The police on secret information had gone for raid on 01.08.2019 and found that in a plastic bag, 40 kg of mahua was carrying by a motor cycle bearing Registration No.BR080 6096 and on search, Arjun Singh who was plying the said motor cycle, was arrested at the spot and the villager has taken the name of Arjun Singh to be involved in the illegal preparation of mahua liquor and on instruction, the police has recovered 12 litres of mahua liquor and huge quantity of Java mahua kept in the drums was destroyed by the police.



Learned counsel for the petitioner submits that the petitioner was not present at the place of occurrence and only 12 litres of mahua liquor has been recovered at the bank of river as well as the petitioner has no criminal history.

Looking to the facts and circumstances of the case, the petitioner, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II, Banka in connection with Belhar P.S. Case No.231 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner is found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of his bail bond.

(Shivaji Pandey, J)

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