

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18442 of 2020**

Arising Out of PS. Case No.-160 Year-2019 Thana- KHUDAGANJ District- Nalanda

SURENDRA BIND Son of Late Barat Bind Resident of Village- Visnu  
Bagicha, P.S.- Khudaganj, District- Nalanda. ... .. Petitioner/s  
Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar, Adv.

For the Opposite Party/s : Mr.Parmanand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      17-09-2020                      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 Khudaganj P.S. Case No. 160 of 2019 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on a raid being conducted about 35 litres of liquor was recovered from behind the house of the petitioner.

It is submitted by learned counsel for the petitioner that the allegation as made in the FIR are false and concocted. No recovery of any incriminating article has taken place. The petitioner is a 65 year old man with 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 submissions made on behalf of the petitioner including the petitioner not having any criminal antecedent, 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 Khudaganj P.S. Case No. 160 of 2019, he shall 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 3<sup>rd</sup> Additional Sessions Judge-cum-Special Judge (Excise), Nalanda at Biharsharif subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Partha Sarthy, J)**

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