

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18480 of 2020**

Arising Out of PS. Case No.-313 Year-2019 Thana- Baikunthpur District- Gopalganj

Reyaj Mian son of Madan Mian Residence of Rewateeth, P.S. Baikunthpur,
Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

2 12-06-2020 Heard learned counsel for the petitioner and learned A.P.P
for the State, through video conferencing.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Baikunthpur P.S. Case no. 313 of 2019 registered under sections 272 and 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., while the petitioner managed to escape, 400 ml of illicit liquor was recovered from a bag hanging in the handle of the motorcycle.

It is submitted by learned counsel for the petitioner that the allegation of recovery of illicit liquor is incorrect. No recovery has taken place from the possession of the petitioner nor was the petitioner arrested at the spot. He has no criminal



antecedent.

The application for bail is opposed by learned A.P.P. 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 has no criminal antecedent, this 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 Baikunthpur P.S. Case no. 313 of 2019, he will be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-II-cum-Special Judge (Excise), Gopalganj, subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code. .

(Partha Sarthy, J)

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