

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18180 of 2020**

Arising Out of PS. Case No.-19 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Katihar

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ANUJ BHAGAT @ ANOJ KUMAR BHAGAT Son of Late Sidheswar
Bhagat Resident of Village - Sant Colony, P.S.- Sahayak, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar

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

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 16-09-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner apprehends his arrest in C-I. Case No.

19 of 2020, registered for the offence punishable under Section

30(a) read with section 13 of the Bihar Prohibition and Excise

Act, 2016.

187.200 litres of foreign liquor is said to have been

recovered from a ditch situated in front of the house of

petitioner.

It is submitted that petitioner has falsely been



implicated in this case. Nothing has been recovered from conscious possession of this petitioner. Recovery has been made from the ground which is accessible to the general public. The petitioner has got no concern with the seized liquor. The provision of section 100 Cr.P.C has not been followed.

Considering the facts aforesaid, the petitioner above-named in the event of his arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, is directed to 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 the learned Additional District and Sessions Judge II-cum-Special Judge, Excise Act, Katihar in connection with C-I Case No. 19 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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