

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19923 of 2020

Arising Out of PS. Case No.-103 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

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UMA SHANKAR NIRALA @ UMA SHANKAR SAHNI Son of Late Bhola Sahni Resident of Village - Rasulpur Wazid, P.S.- Ahiyapur , Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar, Advocate
		Mr. Mithilesh Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Md. Arif, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 16-12-2020 Heard learned counsel for the petitioner and learned counsel for the State through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Ahiyapur P.S. Case no. 103 of 2020 registered under sections 272 and 273 of the Indian Penal code and sections 30(a) and 36 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on a raid being conducted while two persons managed to escape, it is stated that 66.375 litres of IMFL was recovered from the house of one Raja Kumar Kausik.

It is submitted by learned counsel for the petitioner that the said Raja Kumar Kausik has been enlarged on regular bail. The allegation as levelled in the FIR is false and concocted. The petitioner has been falsely implicated in the case only for the reason that he happens to be the father of the co-accused. He has no criminal antecedent.



The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, 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 Ahiyapur P.S. Case no. 103 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Munger subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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