

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23403 of 2020

Arising Out of PS. Case No.-32 Year-2020 Thana- SAHAJITPUR District- Saran

Ashok Prasad S/o Sukdev Prasad Resident of Village-Chhapia, P.S.-
Sahajitpur, District-Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-10-2020 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is apprehending arrest in connection with
Sahajitpur P.S. Case No. 32 of 2020 for the offence under
section 30, 30(a) of the Bihar Prohibition and Excise Act,
2016.

Learned counsel for the petitioner submits that
petitioner has no criminal antecedent.

In the instant case on the basis of secret information,
raid was conducted and 900 liters of spirit was seized from the
earth.

Learned counsel for the petitioner submits that
nothing was recovered from the conscious and exclusive
possession of the petitioner.



Considering the fact the petitioner has no criminal antecedent and the spirit was seized from the land which does not belong to the petitioner, the Court is inclined to grant anticipatory bail to the petitioner, let the petitioner, named above, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 50,000/- (Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 2nd cum Special Judge, Excise, Saran at Chapra, in connection with Sahajitpur P.S. Case No. 32 of 2020 subject to the condition as laid down under section 438(2) of the Cr.P.C. with further condition that the petitioner shall deposit Rs. 50000/- cash to the court below and the amount of Rs. 50,000/- deposited by the petitioner shall abide by final outcome of the pending criminal case.

(Anil Kumar Upadhyay, J)

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