

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24282 of 2020

Arising Out of PS. Case No.-96 Year-2020 Thana- SARAIYA District- Muzaffarpur

AMAN KUMAR Son of Kisu Ray @ Krishna Dev Ray Resident of Village-
Manikpur, P.S.-Saraiya, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-09-2020 Heard Mr. Manoj Kumar, learned counsel for the
petitioner and Mr. Harendra Prasad, learned Additional Public
Prosecutor appearing for the State through video conferencing.

Petitioner apprehends arrest in connection with
Saraiya (Jaintpur O.P.) P.S. Case No. 96 of 2020 registered for
the offence punishable under Section 272 / 273 / 34 of the I.P.C.
and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The allegation against the petitioner is that Police
received a secret information that petitioner along with other
accused persons have brought consignment of illicit liquor,
proceeded towards the place of occurrence and recovered a total
quantity of 4347 liters of liquor from the truck standing near the
road.

Learned counsel for the petitioner submits that



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case merely on the basis of secret information. Learned counsel referring to paragraph no. 8 of this petition submits that petitioner is neither the owner or the driver of the truck in question. Learned counsel further submits that petitioner has got no criminal antecedent and no illicit liquor has been recovered from his conscious possession or the vehicle belonging to the petitioner.

Having regard to the submissions made by the parties, taking into consideration the materials available on record, the fact that no illicit liquor has been recovered from the conscious possession of the petitioner or the vehicle belonging to him and the petitioner has got no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur / court concerned in connection with Saraiya (Jaintpur O.P.) P.S. Case No. 96 of 2020, subject to the condition as laid down under Section 438 (2) of the Code Of



Criminal Procedure.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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