

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24734 of 2020

Arising Out of PS. Case No.-24 Year-2020 Thana- MORKAHI District- Khagaria

BHAVISHYA KUMAR S/o Rampravesh Singh Resident of Village-Rasaunk,
Ward No.1, P.S.-Morkahi, District-Khagaria. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate

For the Opposite Party/s : Dr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 15-10-2020 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 Morkahi P.S. Case no. 24 of 2020 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, it is stated that while three persons abandoned their vehicle and managed to escape, one of them was identified as Suraj Kumar while the other two could not be identified. It is further stated that from two motorcycles and one scooty a total of 75 litres of liquor was recovered.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his possession or his vehicle, he has been falsely implicated in the case only on the ground that he happens to be the registered owner of one of the aforesaid three vehicles. Further referring



to the seizure list it is submitted that although it has been mentioned that a total of 75 litres of IMFL was recovered, but there is no mention as to what quantity of liquor was recovered from which vehicle. The petitioner 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 submissions made on behalf of the petitioner together with the petitioner having no criminal antecedent, 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 Morkahi P.S. Case no. 24 of 2020, G.R no. 717/2020 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 Act, Khagaria subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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