

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24871 of 2020

Arising Out of PS. Case No.-327 Year-2020 Thana- TURKAULIYA District- East
Champaran

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SANJEEV RAI S/o Hiranman Ray Resident of Village-Jaisinghpur Chiutahi,
P.S.-Turkaulia, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-10-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor representing the State, through

Video Conferencing.

The petitioner apprehends his arrest in connection
with Turkauliya Police Station Case No. 327 of 2020, registered
for the offence punishable under Sections 272/273/34 of the
Indian Penal Code and Sections 30 (a)/38(1)/41(1) of the Bihar
Prohibition and Excise Act, 2016.

The allegation against the petitioner, as per the First
Information Report, is that the police, on the basis of secret
information, recovered 200 litres of illicit country-made liquor
kept behind the house of the co-accused person and 70 litres of
illicit liquor kept in the dickey of one I-20 car. The name of the



petitioner has been disclosed by the apprehended co-accused Satyendra Kumar.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has got no criminal antecedent. He further submits that no illicit liquor has been recovered either from the conscious possession or the premises or the vehicle belonging to the petitioner. He further submits that from perusal of the First Information Report and the seizure list, no *prima facie* case is made out under the provisions of the Excise Act against the petitioner.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that no illicit liquor has been recovered from the conscious possession or the premises or the vehicle belonging to the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, in the event of his arrest or surrender before the Court below within a period of six weeks from today, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge -cum- Special Judge, East Champaran, at Motihari, in connection with Turkauliya Police Station Case No. 327 of 2020.

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

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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