

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72345 of 2019

Arising Out of PS. Case No.-324 Year-2019 Thana- JAGDISHPUR District- Bhagalpur

Amrit Sonar @ AMRIT KUMAR Son of Prakash Sah @ Prakash Swarnkar
Resident of Village-Maheshpur Kali Mandir, P.S.-Babarganj, District-
Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Indeshwari Prasad Mandal, Adv.
For the Opposite Party : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 05-03-2020

Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection
with Jagdishpur P.S. Case No. 324 of 2019 for the offence
punishable under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The allegation is regarding recovery of various
quantities of illicit liquor from two cars.

The learned counsel for the petitioner has submitted
that the petitioner has got no complicity in the matter, is innocent
and has been falsely implicated in the present case. It is further
submitted that the petitioner is having a clean antecedent. The



learned counsel for the petitioner has referred to paragraph No. 7 of the present petition to submit that the petitioner is neither the owner of the cars in question nor has got anything to do with the illicit liquor. It is thus stated that since no recovery of illicit liquor has been made from the conscious possession of the petitioner or from his vehicle or from his premises, hence, the provision of Bihar Prohibition and Excise Act, 2016 are not attracted.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, I find that prima facie no offence is made out under the provisions of the Bihar Prohibition and Excise Act, 2016, hence, I deem it fit and proper to direct for release of the petitioner on anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner above named is directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/-(rupees ten thousand) with two sureties of the like amount to the satisfaction of learned Additional Sessions Judge-II-Cum-Special Judge (Excise Act), Bhagalpur in connection with



Jagdishpur P.S. Case No. 324 of 2019, subject to the conditions
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Mohit Kumar Shah, J)

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