

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84906 of 2019

Arising Out of PS. Case No.-188 Year-2019 Thana- LALGANJ District- Vaishali

SHISHUPAL KUMAR @ SHISHUPAL SINGH S/o Mohan Singh R/o
village- Sirsa Biran, P.S.- Lalganj, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Singh
For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Lalganj P.S. Case No. 188/2019 registered under Sections 30(a)/32(2)/41(1) of the Bihar Prohibition & Excise Act, 2016.

learned counsel for the petitioner submits that the recovery of the illicit liquor has been made from a place beneath the bridge (Pulia) and the petitioner has been made accused only on the basis of the statement of the co-accused who was apprehended at the spot, however petitioner has got no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.



Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the recovery of the illicit liquor has been made from a place beneath the bridge (Pulia) and the petitioner has been made accused only on the basis of the statement of the co-accused who was apprehended at the spot, however the petitioner has no criminal antecedent and he has been falsely implicated by the co-accused saying that this petitioner had run away from the place of recovery, but save and except that there is no other material to connect him with the present case, let the above-named petitioner, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – II – cum – Excise Court, Vaishali at Hajipur, in connection with Lalganj P.S. Case No. 188/2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or



indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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