

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85645 of 2019

Arising Out of PS. Case No.-297 Year-2019 Thana- HUSSAINGANJ District- Siwan

Uma Shankar Pandit, aged about 28 years, male, son of Late Babu Lal Pandit,
resident of village: Badram Tola Tariya, P.S.: Hussainganj, District : Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramadhar Shekhar
For the Opposite Party/s : Mr.Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-02-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Hussainganj P.S. Case No. 297 of 2019, registered for the
offence punishable under Sections 30(a), 38(i), 41(i) of the
Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner as per the First
Information Report is that the Police upon secret information
proceeded towards the place of occurrence and recovered a total
quantity of 95 liters 40 ml of illicit liquor from the Pucca
drainage of the State Boring in the village- Badram under the
Hussainganj P.S.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case on the basis of
the fact that name of the petitioner has been disclosed by the
villagers. Learned counsel further submits that petitioner has got
no criminal antecedent and no illicit liquor has been recovered



from the conscious possession or the premises belonging to the petitioner and the same has been recovered from the State Boring, which is accessible to all and sundry.

After having heard learned counsel for the parties and taking into consideration the fact that petitioner has got no criminal antecedent and no illicit has been recovered from the conscious possession or the premises belonging to the petitioner, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks from the date of receipt of a copy of this order, 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 A.D.J. II-cum-Special Judge, Excise Act, Siwan in connection with Hussainganj P.S. Case No. 297 of 2019, subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

(Anil Kumar Sinha, J)

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