

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2470 of 2020

Arising Out of PS. Case No.-205 Year-2019 Thana- BAKHARI District- Begusarai

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Birbal Kumar Son of Dinesh Paswan @ Dinesh Pasavan Resident of
Village - Ward No. -15 Rahua, Babhan Gawan, P.S.- Khagaria,
District Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 27-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for anticipatory bail apprehending his arrest in connection with Bakhari P.S. Case no. 205 of 2019 registered for the offence under section 30(a) of the Bihar Prohibition & Excise Act, 2016.

As per the allegation in the FIR, while a Bolero pick-up van was parked near the 'Chowk', on search, 225 litres of country liquor is said to have been recovered. Accordingly, the FIR was registered against the owner and driver of the said pick-up van.

It is submitted by learned counsel for the petitioner that the petitioner is the owner of the said vehicle. No recovery



as alleged has taken place either from the vehicle or from the person or possession of the petitioner who has no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of his arrest or surrender in connection with Bakhari P.S. Case no. 205 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge (Excise), Khagaria subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

Prakash/-

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