

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86113 of 2019

Arising Out of PS. Case No.-251 Year-2019 Thana- DARAUNDA District- Siwan

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Firoj Sai @ Firoj Sen, male, aged about 32 years, Son of Sarfuddin Sai,
Resident of Village - Rajanpura, P.S.- M.H. Nagar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mrs.Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Daraunda (M.H. Nagar) P.S. Case No. 251 of 2019, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner is that the Police got a secret information that the petitioner has brought huge quantity of illicit liquor from a Tata Indigo car bearing registration no. JH05AR3955, whereupon Police proceeded towards the place of occurrence and when the Police party reached near the Rajanpura Masjid they saw the Tata Indigo car parked near the Rajanpura Masjid and upon search the Police recovered a total quantity of 362.70 liters of illicit foreign liquor



from the said car.

Mr. Ajay Kuamr Tiwary, learned counsel for the petitioner submits that petitioner has falsely been implicated in this case inasmuch as the petitioner has been dragged in this case on the basis of secret information received by the Police. Learned counsel further submits that petitioner has got no criminal antecedent and the car from which illicit liquor has been recovered does not belong to the petitioner. The petitioner has made statement to this effect in paragraph no. 8 of this bail application.

After having heard learned counsel for the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession or from the vehicle belonging to the petitioner and petitioner has got no criminal antecedent, 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 Addl. Sessions Judge 2nd cum



Special Judge Excise, Siwan in connection with Daraunda
(M.H. Nagar) P.S. Case No. 251 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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