

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.227 of 2020

Arising Out of PS. Case No.-342 Year-2017 Thana- HUSSAINGANJ District- Siwan

RAJENDRA PRASAD Son of Sri Ramaji Prasad @ Ramaji Sah, Resident of
Village - Gopalpur, P.S.- Hussainganj, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 09-06-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Hussainganj P.S. Case No.342 of 2017 registered under Sections 272, 273 and 308 of the Indian Penal Code and under Sections 30, 36, 38 and 41(i) of the Bihar Prohibition and Excise Act.

The informant got information that Dina Ram used to sell liquor and on such a raid was conducted. Dina Ram was apprehended on the spot and from his house four bottles of whisky each containing 180 ml were recovered. Dina Ram is said to have disclosed that he had purchased liquor from Rajendra Prasad (petitioner) for selling.

Learned counsel for the petitioner has got no criminal antecedent and there is no material to show that Dina Ram purchased liquor from petitioner. The house of the petitioner has



not been searched and nothing has been recovered from possession of the petitioner.

Learned A.P.P., however, opposed the prayer for anticipatory bail.

It appears that the name of the petitioner was disclosed by Dina Ram from whose possession liquor was recovered but nothing has been recovered from possession of the petitioner and the petitioner has got no criminal antecedent. Therefore, the petitioner deserves anticipatory bail.

Having considered the facts aforesaid, the petitioner above named in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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, Siwan in connection with Hussainganj P.S. Case No.342 of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Harish/-

U		T	
---	--	---	--

