

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3405 of 2020

Arising Out of PS. Case No.-88 Year-2018 Thana- DHURAIYA District- Banka

Md. Gani, Son of Sri Jahir @ Md. Jahir, Resident of Kathbangoan, P.S.-
Dhoraiya, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 06-03-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Dhoraiya P.S. Case no. 88 of 2018 registered for the offence(s) punishable under sections 30(a) and 32(2) of the Bihar Prohibition and Excise Act, 2016.

As per the allegation in the F.I.R., on a search being conducted 1 litre country-made liquor was stated to have been recovered from a motorcycle being driven by Ravi Sah.

It is submitted by learned counsel for the petitioner that the petitioner has been implicated in the case for the reason that he happens to be the registered owner of the said motorcycle. No recovery has taken place from the possession of the



petitioner and petitioner has no criminal antecedent.

Having heard learned counsel for the parties and in the facts and circumstances of the case, especially the fact that the petitioner has no criminal antecedent, 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 Dhoraiya P.S. Case no. 88 of 2018, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Banka, subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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