

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31570 of 2020

Arising Out of PS. Case No.-104 Year-2020 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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Anil Kushwaha, aged about 42 years, Male, Son of Brijlal Kushwaha
Resident of Village- Saraiya, P.S.- Bhgwanpur, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr. A.G

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Bhagwanpur P.S.Case No.104 of 2020, registered under
sections 30(a) and 37(1) and (2) of Bihar Prohibition and Excise
Act, 2016.

As per allegation made in the F.I.R., altogether 15
litres of Mahua liquor is stated to have been recovered from the
house of the petitioner.

It is submitted by learned counsel for the petitioner
that no recovery, as alleged, has taken place. He has been falsely
implicated in the case and has no criminal antecedent.



The application for bail is opposed by the learned APP
for the State.

Having heard learned counsel for the parties and
taking into consideration 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 Bhagwanpur P.S.Case
No.104 of 2020, R.No.404 of 2020, 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
the learned Additional Sessions Judge-5th-cum-Special Judge,
Excise, Kaimur at Bhabhua, subject to the conditions as laid
down under section 438(2) of Code of Criminal Procedure.

(Partha Sarthy, J)

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