

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23687 of 2018

Arising Out of PS. Case No.-271 Year-2017 Thana- BASANTPUR District- Siwan

Sanjay Kumar Misra @ Sanjay Baba @ Sanjay Misra, S/o- Lallan Misra,
resident of Village- Samardah, P.S.- Basantpur, District- Siwan.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Harendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 23-04-2018 Heard Sri Ajay Kumar Pandey, learned counsel for
the petitioner and Sri Harendra Prasad, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in
Basantpur P.S. Case No.271/2017, registered for the offence
under Sections 30(A), 38 of the Bihar Prohibition and Excise
Act, 2016, has prayed for grant of bail, in the event of his arrest
or surrender.

Learned counsel for the petitioner submits that the
petitioner has been made accused on the basis of confessional
statement of one of the accused, who was apprehended by the
police on secret information and from whose possession, total
750 ml. of Indian Make Foreign liquor was recovered. Besides
this, learned counsel for the petitioner has drawn my attention to



the statement made in paragraph-3 of the petition to show that the petitioner is having clean antecedent.

Learned Addl. Public Prosecutor has opposed the prayer for bail. It has been argued that on secret information received by the police that two accused persons were coming on motorcycle for selling liquore, a raiding team was arrived. however, one of the accused fled away and one person standing near the motorcycle disclosed the name of the petitioner.

Be that as it may, considering the nature of accusation as well as clean antecedent of the petitioner , in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Sanjay Kumar Misra @ Sanjay Baba @ Sanjay Misra, be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II, Siwan in connection with Basantpur P.S. Case No.271 of 2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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