

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23791 of 2018

Arising Out of PS. Case No.-251 Year-2017 Thana- BASANTPUR District- Siwan

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Anil Sah @ Anil Kumar @ Anil Kumar Sah, S/o-Late Yamuna Sah, R/o
Village -Narharpur, P.S.-Basantpur, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Sri Ajay Kumar Pandey

For the Opposite Party/s : Sri Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 23-04-2018 Heard Sri Ajay Kumar Pandey, learned counsel for
the petitioner and Sri Pradeep Narayan Kunwar, learned
Additional Public Prosecutor.

The sole petitioner, apprehending his arrest in
connection with Basantpur P.S. Case No. 251 of 2017,
registered for the offence under Section 272/273/308 of the
Indian Penal Code , 1860 and Section 35(A)/35(B)/36 of the
Bihar Prohibition and Excise Act, 2016, has prayed for grant
of bail in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner
that nothing was recovered from conscious possession of the
petitioner nor anything was recovered from the premises or
field of the petitioner, rather in the case recovery of huge
quantity of foreign liquor was shown from a place near canal



bridge. At the time of search none could be arrested. Four accused persons had fled away and thereafter, some villagers disclosed the name of one of the accused person, who fled away. Subsequently, one of the accused was apprehended and he disclosed the name of the petitioner. He submits that in sum and substance, save and except confessional statement of the co-accused, there is nothing against the petitioner and petitioner is having clean antecedent, which fact has been stated in paragraph no. 3 of the petition.

In view of the facts and circumstances, 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 Anil Sah @ Anil Kumar @ Anil Kumar Sah 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 Addl. Sessions Judge II, Siwan / concerned court in connection with Basantpur P.S. Case No. 251 of 2017 subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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