

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20039 of 2019

Arising Out of PS. Case No.-447 Year-2018 Thana- CHAPRA MUFFASIL District- Saran

Sunil Kumar, Son of Late Ragho Manjhi, Resident of Village - Ram Nagar,
P.S.- Chapra Muffasil, District - Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Sanjana

For the Opposite Party/s : Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-04-2019 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506 and 353/34 of the IPC and Sections 30, 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that a secret information was received with regard to business of illicit liquor. Whereupon, a raid was laid and 70 litres of country made liquor were recovered and three persons were also apprehended from the spot, who disclosed their names as Satyendra Manjhi, Anish Kumar and Amarjeet Kumar. It is further alleged that the name of the petitioner sprang up on the confessional statement of co-accused, Amarjeet Kumar.

It is submitted by learned counsel for the petitioner that



there is no recovery from the conscious physical possession of the petitioner. It is further submitted that similarly situated co-accused persons have been granted anticipatory bail by two Co-ordinate Benches of this Court vide order dated 16.01.2019 and 25.01.2019 passed in Cr. Misc. Nos. 2198 of 2019 and 80742 of 2018 respectively. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the name of the petitioner sprang up on the confessional statement of apprehended co-accused, Amarjeet Kumar.

Considering the fact that there is no recovery from the conscious physical possession of the petitioner and similarly situated co-accused persons have been granted anticipatory bail by two Co-ordinate Benches of this Court, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **A.D.J.-Vlth, Saran at Chapra**, in connection with **Chapra Muffasil P.S.**



Case No.447 of 2018 subject to the conditions laid down in
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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