

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29052 of 2019

Arising Out of PS. Case No.-131 Year-2018 Thana- MATIHANI District- Begusarai

Sanjay Kunwar Son of Satya Narayan Kunwar, Resident of Village-
Shankarpur Bakhadda, P.S.- Matihani, District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Manish Kumar No2

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-05-2019 Heard both sides.

The petitioner apprehends his arrest in Matihani P.S.
Case No.131 of 2018 registered under Section 414 of the Indian
Penal Code and under sections 20 and 22 of the NDPS Act and
under Section 30(a) of the Bihar Prohibition and Excise Act.

The informant received secret information on the
basis of which one Tavera vehicle and two motorcycles were
recovered. Four persons, namely, Saurabh Kumar, Dharmveer
Kumar, Anil Kumar and Ankit Kumar were apprehended. On
search, huge quantity of Indian made foreign liquor was
recovered from Tavera vehicle and also from motorcycles. The
house of Anil Kumar was also searched and four cartons
containing Royal Stag Whisky were recovered. Nothing has
been recovered from possession of Ankit Kumar. The



apprehended accused are said to have disclosed the name of petitioner.

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot. The apprehended accused persons disclosed the name of petitioner on account of village politics. The petitioner has got no criminal antecedent and no case under any section of the Excise Act has ever been lodged against the petitioner. The apprehended accused, namely, Dharmveer Kumar, Saurabh Kumar and Anil Kumar have already been granted bail.

Having considered the facts that nothing has been recovered from possession of the petitioner although the petitioner is said to have fled away but the petitioner has got no criminal antecedent and apprehended accused from whose possession huge quantity of liquor and ganja was recovered, have already been granted bail, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Begusarai in connection



with Matihani P.S. Case No.131 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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