

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26096 of 2019

Arising Out of PS. Case No.-86 Year-2019 Thana- SITAMARHI District- Sitamarhi

SANNI KUMAR @ KAJU Son of Mohan Prasad Resident of Village -
Mehsaul, P.S.- and Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 23-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sitamarhi P.S. Case No. 86 of 2019, registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30 (a) of Bihar Prohibition and Excise Act, 2016.

304.165 liters foreign liquor is said to have been recovered from the Scorpio and four accused persons were apprehended who disclosed the name of the petitioner and one Mukesh Kumar to be purchasers of the said liquor.

It is submitted by the learned counsel for the petitioner that no incriminating article has been recovered from



the conscious physical possession of the petitioner. He has no concern either with the seized liquor or the place of recovery or any trade of liquor or with the apprehended accused persons. there is nothing on record to indicate the complicity of the petitioner barring disclosure of the apprehended person which has no evidentiary value in the eyes of law. No offence under Excise Act is made out against the petitioner. He has no criminal antecedent.

Learned Spl. P.P. for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail in the event of his arrest or surrender before the learned Court below within a period of four weeks from today 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 A.D.J II-cum-Special Judge Excise Act, Sitamarhi in connection with Sitamarhi P.S. Case No. 86 of 2019, subject to condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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