

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27280 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- PALASI District- Araria

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Ebnool @ Munna Son of Ainul @ Enul Hak, Resident of village- Denga Ward
No. 12, Police Station- Palasi, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr.Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has filed the instant application for anticipatory bail apprehending his arrest in connection with Special Case No. 157 of 2019 arising out of Palasi P. S. Case No. 31 of 2019 registered for the offence punishable under sections 272 and 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The allegation against the petitioner in the F.I.R. is that the petitioner on seeing the police, threw the bag which he was carrying and managed to escape. It is alleged that five bottles of cough syrup was recovered from the bag and as such the case under the Bihar Prohibition and Excise Act.

It is submitted by learned counsel for the petitioner that the allegation of recovery from the petitioner is incorrect, he is



in no way concerned with the alleged bag or with the recovered cough syrup and he has no criminal antecedent.

Having heard learned counsel for the petitioner and learned APP for the State, in view of the facts and circumstance of the case as also in view of the fact that the alleged recovery is of five bottles of cough syrup and that the petitioner has no criminal antecedent, the court is inclined to enlarge the petitioner on bail. The petitioner above named, in the event of his arrest or surrender in the court below within a period of six weeks from today in connection with Special Case No. 157 of 2019 arising out of Palasi P.S. Case No. 31 of 2019 is directed to 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 the learned 2nd Additional Sessions-cum-Special Judge, Araria subject to the conditions as laid down in Section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

Prakash/-

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