

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52268 of 2019

Arising Out of PS. Case No.-227 Year-2018 Thana- BHAGWANPUR District- Begusarai

SANJEEV KUMAR @ SANJEEV KUMAR SINGH @ SINTU Son of Bhulu Singh Resident of Village-Kasba Ward No.20, P.S.-Teghra, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shree Niwas Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-08-2019 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bhagwanpur Police Station Case No. 227 of 2018, disclosing offences under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner, as per the First Information Report, is that the police intercepted a ten-wheeler truck and apprehended the driver and cleaner of the said truck and on search, the police recovered 3804.480 litres of illicit liquor. The name of the petitioner has been disclosed by the apprehended driver that the petitioner was also involved in the trade of illicit liquor.



Learned Counsel for the petitioner submits that the petitioner is innocent and has no criminal antecedent. He further submits that the petitioner has been dragged in this case on the basis of the statement made by the apprehended driver of the said truck with oblique motive. He further submits that from perusal of the First Information Report, it appears that the truck, in question, was registered in Uttar Pradesh and the petitioner reside in Begusarai, Bihar, having no link with the truck, in question. He further submits that the petitioner is not the owner of the truck and the marble loaded on it.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioner has got no criminal antecedent and no recovery of illicit liquor has been made from the possession or vehicle belonging to the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioner, Sanjeev Kumar @ Sanjeev Kumar Singh @ Sintu, in the event of his arrest or surrender before the Court below within four weeks, be released 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 2nd Additional Sessions Judge -cum- Special Judge, Excise,



Begusarai, in connection with Bhagwanpur Police Station Case No. 227 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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