

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60363 of 2019**

Arising Out of PS. Case No.-171 Year-2017 Thana- GAIGHAT District- Muzaffarpur

=====

SUNIL KUMAR @ SANNI S/o Khobhari Mahto Resident of Village- Loma,
P.S.- Gaighat, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Amarendra Prasad

=====

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

4 20-11-2019 Heard the parties.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Gaighat P.S. Case No. 171 of 2017 registered for the offence punishable under sections 272 and 273 of the Indian Penal Code and sections 30(A) and 35(A) of the Bihar Prohibition and Excise Act, 2016.

As per allegation made in the F.I.R., from the commercial vehicle of one Nagendra Chaudhary, bottles of IMFL, details of which have been given in the FIR, are said to have been recovered.

From perusal of the record of the case, it transpires that petitioner was neither caught with the vehicle nor any thing has been recovered from his possession. His name transpired in



course of investigation. He is alleged to be the driver of the vehicle.

Having gone through the record of the case and having heard learned APP for the State and considering the fact that petitioner was neither caught at the place of occurrence nor anything has been recovered from his possession, this Court is inclined to grant anticipatory bail to the petitioner and he is directed to surrender in the court below within a period of six weeks from today and in the event of his arrest or surrender, he shall 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 Special Judge, Excise, Muzaffarpur in connection with Gaighat P.S. Case No. 171 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

sushma/-

U		T	
---	--	---	--

