

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55594 of 2019

Arising Out of PS. Case No.-86 Year-2019 Thana- KALUAHI District- Madhubani

Pappu Kumar Mishra @ Pappu Mishra, Son of Jay Chandra Mishra @ Bhutto
Mishra Resident of Village - Simri, P.S.- Bisfi (Patuna), Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with Kaluahi P.S. Case No.86 of 2019, G.R. No.1102 of 2019, for the offence punishable under Sections 272, 273/34 of the Indian Penal Code.

The allegation against the petitioner, as mentioned in the FIR is that police got secret information that petitioner along with other accused persons was indulged in unloading of illicit foreign liquor from truck proceeded towards place of occurrence and recovered a total quantity of 1037.60 litres of illicit foreign liquor from the said truck standing near Orchard.

Mr. Shailendra Kumar Jha, learned counsel appearing for the petitioner submits that petitioner has got no criminal



antecedent and has falsely been implicated in this case merely on the basis of secret information. Learned counsel relying upon para 11 of this application submits that the truck in question does not belong to the petitioner and the truck was found standing 12 kilometer away from village of the petitioner. Learned counsel thus submits that no illicit liquor has been recovered from the conscious possession or from the premises or vehicle belonging to the petitioner.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that petitioner has got no criminal antecedent and no illicit liquor has been recovered from his conscious possession or from his vehicle or premises belonging to the petitioner, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IInd-cum-Special Judge, Excise Act,



Madhubani, subject to the condition as mentioned under Section
438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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