

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62146 of 2019**

Arising Out of PS. Case No.-218 Year-2019 Thana- KHAIRA District- Jamui

SANOJ MODI Son of Kedar Modi R/o Village- Jal Joga, P.S.- Khaira,
District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha
For the Opposite Party/s : Mr. Anil Kumar APP

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 01-10-2019 This application, for grant of anticipatory bail, arises out of Khaira P.S. Case No. 218 of 2019, disclosing offences under Sections 272, 273 and 34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act.

Allegation as per F.I.R. is that police intercepted a Tempo and it is said that two persons succeeded in fleeing away including petitioner and there is recovery of 96 litres of country made liquor from the tempo.

Submission of learned counsel for the petitioner is that there is nothing available in the F.I.R. as to what was the source of information that petitioner succeeded in fleeing away. Further submission is that petitioner has no criminal antecedent and has falsely been implicated in this case.

Heard learned A.P.P. also.



Having heard both sides, considering the facts and circumstances, this application is disposed of with direction to the petitioner to surrender in the court below within a period of three weeks from the date of receipt of a copy of this order in the court below and learned Special Judge shall verify as to what are the materials from the case diary so as to find out as to what is the source of information to the police that petitioner fled away from the place of occurrence and if there is nothing available in the case diary, the court below shall release the petitioner on bail, otherwise, the petitioner has to surrender in the court below and pray for regular bail.

(Vinod Kumar Sinha, J)

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