

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65379 of 2019

Arising Out of PS. Case No.-226 Year-2019 Thana- EKANGARSARAI District- Nalanda

SANTOSH KUMAR Son of Dharmendra Kumar Sinha Resident of Patel
Gali, Ekangarsarai, P.S.- Ekangarsarai, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-11-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Ekangarsarai Police Station Case No. 226 of 2019, disclosing offence 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 one Alto car and one Gautam Kumar, who was sitting inside the car, was arrested and 240 litres of illicit liquor was recovered by the police. The name of the petitioner has been disclosed by said Gautam Kumar, as owner of the said Alto car.

Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case merely on the basis of the statement made by co-accused. He, referring to paragraph 11 of this application, submits that the petitioner is not the owner of the car, in question.

After having heard learned Counsel for the parties concerned and taking into consideration the fact that the petitioner is not the owner of the car, in question, as stated in paragraph 11 of this application and further the petitioner has got no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, Santosh Kumar, 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 Special Judge, Excise, Nalanda, at Biharsharif, in connection with Ekangarsarai Police Station Case No. 226 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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