

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10142 of 2020

Arising Out of PS. Case No.-489 Year-2019 Thana- PHULPARAS District- Madhubani

Sanjay Sah @ Sanjay Kumar Sahu, aged about 20 years, Male, Son of Ram Lakhan Sahu @ Ram Lakhan Sah @ Ram Lakhan Chadh., Resident of Village - Bauharwa, P.S.- Phulparas, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Phulparas P.S. Case No. 489 of 2019 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that there is no recovery from the conscious possession of the petitioner rather 1466 liters of foreign made liquor has been recovered from the Pick up Van. He further submits that the petitioner has been made accused on the basis of confessional statement of the apprehended co-accused. Learned counsel for the petitioner



further submits that petitioner has no concern of co-accused and never concern of the said seized wine. Learned counsel for the petitioner further submits that the petitioner has got no criminal antecedent.

In the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner, subject to the condition that the petitioner is agreed to deposit Rs.50,000/- (fifty thousand) in the Juvenile Justice Fund of the State Social Welfare Department and on deposit of the aforesaid amount, in the event of his arrest or surrender before the court below within six weeks from the date of communication of this order, the court below shall release the petitioner on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II cum Special Judge, Excise Act, Madhubani in connection with Phulparas P.S. Case No.489 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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