

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12021 of 2020

Arising Out of PS. Case No.-290 Year-2019 Thana- BAUNSI District- Banka

Shyam Sunder Sah Son of Mahendra Sah Resident of Village - Rahmatpur,
P.S.- Asarganj, District Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-06-2020 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The petitioner has filed this application for grant of anticipatory bail in connection with Bounsi P.S. Case no. 290 of 2019 registered under section 414 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on a tempo being stopped and searched, it was found that the same was being driven by one Md. Irshad and a total 17.625 litres of IMFL was recovered.

It is submitted by learned counsel for the petitioner that the petitioner was neither arrested at the spot nor any recovery has taken place from his person or possession. He has been implicated in this case only for the reason that he happens to be the registered owner of the said tempo. He has no criminal



antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that the petitioner has no criminal antecedent and he was neither arrested at the spot nor any recovery has taken place from his possession, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Bounsi P.S. Case no. 290 of 2019 will 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 Additional Sessions Judge II, Banka subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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