

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76687 of 2019

Arising Out of PS. Case No.-308 Year-2019 Thana- DAUDNAGAR District- Aurangabad

1. Abhimanyu Kumar, Son of Ajay Singh, Resident of Village - Khairadeep , P.S.- Daudnagar, Distt.- Aurangabad.
2. Raju Kumar, Son of Sanjay Singh, Resident of Village - Karma Kala, , P.S.- Daudnagar, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath

For the Opposite Party/s : Mr. Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-02-2020 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in a case registered for the offence under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., 112.5 litres of IMFL was recovered from the Alto car and F.I.R. was registered against the driver and owner of the said vehicle.

It is submitted by learned counsel for the petitioners that the petitioner no.1 is the registered owner of the Alto car and the petitioner no.2 happens to be his driver. It is further submitted that they were neither arrested at the spot nor any incriminating article has been recovered from their personal possession or



from the said vehicle. The petitioners have no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case including the fact that petitioners have neither been arrested at the spot nor any incriminating article has been recovered from their possession, the Court is inclined to enlarge the petitioners on bail. The petitioners above named, in the event of their arrest or surrender in the Court below within a period of six weeks from today in connection with Daudnagar Case No.308 of 2019 is directed to be enlarged on bail on furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII-cum-Special Judge(Excise), Aurangabad, subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

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