

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76686 of 2019

Arising Out of PS. Case No.-479 Year-2019 Thana- MAHUA District- Vaishali

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Sachin Kumar, Son of Shivan Ray, Resident of Village - Mahua Singh Rai,
P.S.- Mahua, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Barun Kumar Choudhary

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

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

The petitioner has filed the instant application for grant of anticipatory bail apprehending his 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, 41.75 litres of IMFL was recovered from the motorcycle and two persons including one Badri Bishal Singh was arrested on the spot. It is further submitted that the said Badri Bishal Singh disclosed the name of four persons who managed to escape which included the petitioner herein as also one Arjun Singh.

It is submitted by learned counsel for the petitioner that the allegation as levelled in the F.I.R. are false and concocted. Admittedly, no recovery has taken place from the possession of the petitioner and the case of the petitioner stands on similar



footing to that of the co-accused Arjun Singh who has been enlarged on bail vide order dated 19.12.2019 passed in Cr.Misc. No.84679 of 2019. The petitioner has no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the fact that the petitioner was not arrested at the spot, he has no criminal antecedent and also grant of bail to the similarly situated co-accused, the Court is inclined to enlarge the petitioner on bail. The petitioner above named, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with Mahua P.S. Case No.479 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-II-cum-Excise Court, Hajipur, Vaishali subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

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