

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77617 of 2019

Arising Out of PS. Case No.-131 Year-2019 Thana- TARARI District- Bhojpur

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Ritesh Kumar, Son of Rajunandan Singh @ Buteshwar Singh, Resident of
Village-Dhamana, Police Station-Tarari in the district of Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 18-02-2020 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 Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R, on being stopped by the police personnel, the two accused persons hid behind the sack and managed to escape. It is further stated that 48.88 litres of IMFL was recovered and the two persons who escaped were identified as Rohit Kumar and the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has no criminal antecedent, no recovery of any incriminating article has taken place from his person or possession, he has been falsely implicated in this case and this case stands on a similar footing to that of co-accused Rohit



Kumar who has enlarged on anticipatory bail vide order dated 02.12.2019 passed in Cr. Misc. no. 78359 of 2019.

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

Having heard learned counsel for the parties and taking into consideration that the petitioner has no criminal antecedent, grant of bail to the co-accused and no recovery of any incriminating article from the petitioner's possession, this 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 Tarari P.S. Case no. 131 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 4th Additional Sessions Judge-cum-Special Judge, Excise Act, Bhojpur, Arrah, subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

Bibhash/Ankit

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