

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28182 of 2021

Arising Out of PS. Case No.-345 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

Sunil Kumar @ Sunil Sah S/o Rampavitra Sah R/o village- Sripur Tola, Ward No. 11, Manik Chauk Utari, P.S.- Runnisaidpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar
For the Opposite Party/s : Mr. H.A. Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in Runnisaidpur P.S. Case No.345 of 2020, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that there is no recovery from the conscious possession of the petitioner rather 339.750 litres of foreign liquor was recovered from the house of Vijay Sah. The apprehended person disclosed the name of the petitioner. It is submitted that the petitioner has got no criminal antecedent as stated in para 3 of the bail petition.

Learned APP for the State opposed the prayer for



anticipatory bail of the petitioner.

Petitioner is agreed to deposit a sum of Rs.30,000/- (rupees thirty thousand) in Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFS Code PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

In the facts and circumstances of the case, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge, 2nd-cum-Special Judge (Excise), Sitamarhi in connection with Runnisaidpur P.S. Case No.345 of 2020, subject to the conditions:

(1) Laid down under Section 438(2) of the Cr.P.C.

(2) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the



learned court below for cancellation of his bail bonds.

(4) The bail bond of the petitioner shall be accepted by learned court below on showing receipt of deposit of Rs.30,000/- (rupees thirty thousand) in Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J.)

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