

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24820 of 2020

Arising Out of PS. Case No.-50 Year-2020 Thana- SARAIYA District- Muzaffarpur

PAPPU KUMAR Son of Sri Bhagwan Rai @ Bhagwanlal Ray Resident of
Village - Kailapatti, Police Station - Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

4 05-02-2021 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 connection with Saraiya P.S. Case No. 50 of 2020, registered under sections 272, 273 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, 1066.86 litres of IMFL is stated to have been recovered from a pickup van and truck in question. It is further stated that the local people gave information that the IMFL had been sold to the petitioner and one another and the petitioner was involved in the trade of liquor.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor has he any concern to the seized liquor. He has no criminal antecedent.

The application for bail is opposed by learned APP for



the State.

By order dated 16.10.2020 antecedent report with respect to the petitioner had been called for and the same has been received from the Senior Superintendent of Police, Muzaffarpur, according to which it is mentioned that the antecedent report of the petitioner is in the case diary.

Learned APP submits that as per the case diary, the petitioner has no criminal antecedent.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of his arrest or surrender in connection with Saraiya P.S. Case no. 50 of 2020, he will 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 learned Special Judge, Excise Act, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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