

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27358 of 2020

Arising Out of PS. Case No.-1094 Year-2019 Thana- BIHTA District- Patna

SONU KUMAR S/o Late Karu Sharma Resident of Village-Adalipur, P.S.-
Bihta (Neora O.P.), District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Sharma, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15-01-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Bihta P.S Case no. 1094 of 2019 (Special Case no. 10920 of 2019) registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, a total quantity of 5.625 litres of IMFL is stated to have been recovered from next to the gumti belonging to this petitioner.

It is submitted by learned counsel for the petitioner that no recovery as alleged has taken place. In any case of the matter, from the seizure list itself, the place of recovery is an open area next to the petitioner's gumti. The petitioner has no



criminal antecedent.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the place of recovery mentioned in the seizure list and the petitioner not having any criminal antecedent, the Court is inclined to enlarge the petitioner on anticipatory 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 Bihta P.S. Case no. 1094 of 2019 (Special Case no. 10920/2019) 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, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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