

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14178 of 2021

Arising Out of PS. Case No.-978 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Anuj Srivastava @ Anuj Kumar Sinha @ Anuj Kumar Son of Late
Devnarayan Srivastava Resident of Village - Chota Bariyarpur Ward No. 7,
P.S.- Chhatauni, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 20-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 30(a), 32,
38 and 41(1) of the Bihar Prohibition and Excise Act.

It is a case of recovery of about 1197.360 liters of
foreign liquor from a truck and a bolero.

It is submitted by learned counsel for the petitioner
that the petitioner has falsely been implicated in this case and he
has not been apprehended at the spot. He further submits that no
liquor was recovered from the conscious or constructive
possession of the petitioner and the name of the petitioner has
transpired at the instance of his enemies and he has no concern



with the seized vehicle in question. He further submits that similarly situated co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 22877 of 2020.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, let the petitioner, above named in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Motihari, East Champaran in connection with Excise Case No. 978 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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