

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9193 of 2022

Arising Out of PS. Case No.-161 Year-2021 Thana- SONO District- Jamui

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BANTY KUMAR @ BANTY YADAV S/o Ramnandan Yadav R/o Village-
Jagnandanpur, P.S.- Rahui, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-09-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

Petitioner apprehends his arrest in connection with a case registered for the offence punishable u/s 272, 273 IPC and section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Altogether 1964.70 litres of foreign liquor is said to have been recovered from a Truck. It is alleged that petitioner is member of syndicate involved in business of liquor.

Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. Petitioner has been falsely implicated in this case at



the instance of his enemies. His name transpired in this case on the statement of the apprehended co-accused. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized liquor or any trade of liquor. The seized truck does not belongs to petitioner. Other similarly situated co-accused have been granted anticipatory bail by this Court vide order dated 25.03.2022 passed in Cr. Misc. No.63594 of 2021. Petitioner has three criminal antecedent of similar nature of offence.

Petitioner is agreed to deposit a sum of Rs.1,00,000.00/- (Rupees One Lac) in the Bihar State Legal Services Authority, Budh Marg, Patna bearing Account No.0380000100252472, IFSC PUNB0038000, Punjab National Bank.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Sono P.S. Case No.161 of 2021, subject to the



condition as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions.

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.1,00,000.00/- (Rupees One Lac) in the Bihar State Legal Services Authority.

(Anjani Kumar Sharan, J)

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