

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8510 of 2022

Arising Out of PS. Case No.-437 Year-2020 Thana- PURNEA SADAR District- Purnia

PIYUSH KUMAR S/O FUCHO YADAV RESIDENT OF VILLAGE-
EKANIYA, P.S.- MANSI, DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Sadar P.S. Case no. 437 of 2020 instituted for the offence under Section 30(A) of the Bihar Prohibition and Excise Act and Sections 272, 273, 34 of the Indian Penal Code.

Prosecution case relates to recovery of 24.450 litres of foreign liquor from the motorcycle of the petitioner, and co accused who were riding on the said motorcycle, were arrested on spot, who disclosed the name of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no



concern with the alleged recovery. Due to medical need, co-accused persons have taken the said motorcycle from the petitioner on request, which is mentioned in para-8 of the petition. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

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 four weeks from today and in the event of his arrest or surrender in connection with Sadar P.S. Case no. 437 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 (Excise) Judge Cum Second Additional Sessions Judge, Purnea subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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