

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11096 of 2022

Arising Out of PS. Case No.-287 Year-2021 Thana- ROSERA District- Samastipur

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Pankaj Rai @ Pankaj Kumar @ Pankaj Kumar Ray Son Of Suresh Rai R/O
Village- Jandaha, P.S.- Rosera, District- Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Ms. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Excise Act, 2016.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of 05 litre of liquor from the petitioner's flower shop.

The learned counsel for the petitioner submits that his rivals in order to falsely implicate the petitioner in his absence may have misused his premises, but since the alleged recovery was made in absence of the petitioner, as such, it cannot be said



with certainty that the alleged place of recovery is the flower shop of the petitioner. It is next submitted that petitioner came to be implicated based on disclosure made by his rival nearby the shop.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner and the fact that the petitioner is a person with clean antecedent and in the nature of allegation, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Rosera P. S. Case No.287 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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