

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17314 of 2022

Arising Out of PS. Case No.-10 Year-2022 Thana- AMBA District- Aurangabad

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Anand Kumar Son of - Pravesh Mahto Resident of Village - Pola, P.O. -
Matpa, P.S. - Kutumba, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rupa Kumari, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-04-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioner seeks anticipatory bail in connection with Amba P.S. Case No. 10 of 2022 registered for the offences under Sections 30 (a) & 33 of the Bihar Prohibition and Excise Act.

Relying on annexure-2 the petitioner submitted that he had sold the vehicle to one Mukesh Kumar from whose possession, the recovery of the illicit liquor has been made.

Considering the aforesaid facts, this application for anticipatory bail is allowed.

Let the petitioner, above named, in the event of his arrest/surrender within four weeks from today in the court



below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court No. I, Aurangabad in connection with Amba P.S. Case No. 10/2022, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

Till submission of the chargesheet the police will identify the fact as to whether the petitioner had sold the vehicle to the co-accused Mukesh Kumar. Though the transfer is not entered in the registration certificate but still if the petitioner has sold the vehicle to co-accused Mukesh Kumar and this fact is supported by the witnesses during investigation then the petitioner shall remain on the anticipatory bail granted by this court. If during investigation it is found that the vehicle was not sold to the Mukesh Kumar and the police comes to a finding that the petitioner has manufactured these documents then the petitioner shall have to surrender before court below and pray for regular bail after submission of chargesheet. With the aforesaid observations and directions this anticipatory bail is allowed.

Office is directed to communicate this order to the Superintendent of Police, Aurangabad through FAX/e-mail



forthwith. The petitioner shall also join the investigation and he will himself produce the web copy of the order before Superintendent of Police Aurangabad and cooperate in the investigation.

(Sandeep Kumar, J)

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