

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18650 of 2022**

Arising Out of PS. Case No.-8 Year-2020 Thana- DEODHA District- Madhubani

KISHAN KUMAR SON OF VINOD RAUT R/O VILLAGE- LOHAPATTI,
WARD NO.-16, P.S.- NAGAR, DISTRICT- MADHUBANI (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nikesh Kumar

For the Opposite Party/s : Mr.Arun Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 08-12-2022 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 Deodha P.S. Case no. 08 of 2020 instituted for the offence under Sections 272 and 273 of the Indian Penal Code and 30(a) of Bihar Prohibition & Excise Act.

Prosecution case relates to recovery of 370 litres nepali liquor from the car 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. Because of his ownership, he has been implicated in the present case. The name of the



petitioner has been disclosed in this case by the apprehended accused before the police, which has no evidentiary value in the eye of law. 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.

Petitioner is directed to deposit Rs. 30,000/- (Rs. Thirty thousand) in the concerned DLSA.

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 Deodha P.S. Case no. 08 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 Judge (Excise Act), Madhubani subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 30,000/- (Thirty thousand only) by the petitioner in the account



of concerned DLSA.

(Sunil Kumar Panwar, J)

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