

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18569 of 2022

Arising Out of PS. Case No.-447 Year-2020 Thana- KISHANGANJ District- Kishanganj

BIKKY KUMAR @ BIKKY Son of Avadhesh Singh Resident of Village -
Khilwat, P.s.- Bidupur, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 20732 of 2022

Arising Out of PS. Case No.-447 Year-2020 Thana- KISHANGANJ District- Kishanganj

MAHENDRA YADAV DHONI @ MAHENDRA YADAV Son of Ramdhani
Yadav Resident of Village - Doiadih, Tilaiya, P.S.- Tilaiya, District - Koderma
(Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 18569 of 2022)

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Upendra Kumar

(In CRIMINAL MISCELLANEOUS No. 20732 of 2022)

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-10-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioners apprehending their arrest in connection
with Kishanganj P.S. Case no. 447 of 2020 instituted for the
offence under Sections 272, 273, 420, 120(B) of the IPC and



Section 30(a) and 41(1) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 8641.800 litres of IMFL from a truck and four persons were arrested on spot who disclosed the name of the petitioners as of his associates.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. Petitioners have no concern with the alleged recovery or with the vehicle in question. The name of the petitioner has been disclosed in this case by Chowkidar and apprehended accused persons before the police, which has no evidentiary value in the eye of law. Neither the petitioners were arrested nor any incriminating article has been recovered from their 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 petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Kishanganj P.S. Case no. 447 of 2020, he will be enlarged on bail on furnishing bail bond of Rs.



10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge II, Special Judge (Excise, Kishanganj subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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