

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30292 of 2022

Arising Out of PS. Case No.-7 Year-2022 Thana- BELA INDUSTRIAL District- Muzaffarpur

HARI MOHAN KUMAR Son of Subhash Narayan Pandey @ Subh Narayan
Pandey Resident of Village - Baghdih @ Baghari, P.s.- Raunnisaidpur, Distt.-
Muzaffarpur, Bihar. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey

For the Opposite Party/s : Mr.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-09-2022 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 Bela P.S. Case no. 07 of 2022, instituted for the offence
under Sections 272, 273, 34 of the Indian Penal Code and
30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 1676.16 litres
IMFL from a truck and the driver of the said truck was
apprehended on spot who disclosed the name of the petitioner as
one of his associates.

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 or with the vehicle in



question. The name of the petitioner has been disclosed in this case by the apprehended co-accused Kuldip Singh before the police, which has got 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.

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 Bela P.S. Case no. 07 of 2022, 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 Exclusive Special Excise Court No.1 Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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