

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30264 of 2022

Arising Out of PS. Case No.-278 Year-2021 Thana- NAUBATPUR District- Patna

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ANGUR MOHAMMAD SON OF AZAD MOHAMMAD RESIDENT OF
HATHIYANA TAHSIL KAPASAN, DISTRICT- CHITTAURGARH, STATE
- RAJASTHAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mithlesh Kumar Gupta

For the Opposite Party/s : Mr.Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-11-2022 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 Naubatpur P.S. Case no. 278 of 2021 instituted for the
offence under Sections 379/420/ 467/ 468/ 471/ 34 of the Indian
Penal Code and Section 30(A), 38, 41 of the Bihar Excise
Amendment & Prohibition Act, 2018.

Prosecution case relates to recovery of 4634 litres
IMFL from the truck of the petitioner and driver of the said
vehicle was arrested on spot.

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. 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. 1,20,000/- (Rs. One lakh and twenty 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 eight weeks from today and in the event of his arrest or surrender in connection with Naubatpur P.S. Case no. 278 of 2021, 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 Excise Court, Danapur 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.



1,20,000/- (One Lakh and Twenty thousand only) by the
petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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