

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33479 of 2022

Arising Out of PS. Case No.-427 Year-2019 Thana- BRAHMPURA District- Muzaffarpur

Arun Kumar Yadav @ Arun Kumar Ray Son Of Sri Siyaram Ray Resident Of
Village- Bhagwanpur, P.S.- Baruraj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-11-2022 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 Brahmpura P.S. Case no. 427 of 2019 instituted for the offence under Sections 272, 273, 290 of the Indian Penal Code and Sections 30(a)(d)(e)(f), 41 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 2420.160 liters of illicit liquor from the truck. Two persons were apprehended from the spot.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner has no concern either with the alleged



recovery or with the vehicle in question. Neither the petitioner was arrested nor any incriminating article has been recovered from his conscious possession. Petitioner is not named in F.I.R. and the name of petitioner sprang up during investigation.

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 Brahmpura P.S. Case no. 427 of 2019, 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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