

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44829 of 2021

Arising Out of PS. Case No.-168 Year-2020 Thana- CHAUSA District- Madhepura

Sumit Kumar @ Sumit Kumar Yadav Son of Late Ram Bachan Yadav
Resident of Village - Araria, Ward No.09, P.s.- Parbata Bharaiya, Distt.-
Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bharat Bhushan

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-03-2022 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 Chousa P.S. Case no. 168 of 2020 instituted for the offence
under Sections 272, 273, 120(b) and 420 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 3054.375 liters
IMFL from the house of co-accused Ramdev Yadav situated
near the M.G.C.P.L. Plant and five liters liquor from a
motorcycle which was parked near his house. He has disclosed
the name of the petitioner, who succeeded in fleeing away from
the place of occurrence.

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 place of occurrence. The name of the petitioner has been disclosed in this case by the apprehended co-accused Ramdev Yadav, which has got no evidentiary value in the eye of law. Motorcycle also does not belong to the petitioner. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

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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 Chousa P.S. Case no. 168 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 Additional Sessions Judge, II, Madhepura



subject to the conditions as laid down under section 438(2) of
the Cr.P.C.

(Sunil Kumar Panwar, J)

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