

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36994 of 2022

Arising Out of PS. Case No.-456 Year-2020 Thana- BARHARA District- Bhojpur

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SANJIV KUMAR Son of Raghav Prasad Resident of village - Ward No.- 3,
Udwantnagar, P.S.- Udwantnagar, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-09-2022 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 Barahara P.S. Case no. 456 of 2020 instituted for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

Prosecution case relates to recovery of 8.5 litres from
the motorcycle of the petitioner.

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. In para-8 of the
petition, it is mentioned that petitioner had sold the said vehicle
to Kamal Kishore Mehta. Petitioner has no concern with the



alleged recovery. 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 Barahara P.S. Case no. 456 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 Exclusive Special Excise Court No. 1st Bhojpur, Ara subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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