

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41333 of 2022

Arising Out of PS. Case No.-54 Year-2020 Thana- BIBHUTIPUR District- Samastipur

BIRJU KUMAR S/o Ramotar Mahto R/o village- Basahi, P.S.- Cheriya
Bariarpur, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code read with Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of four cases and allegation is of recovery of 851 liters of liquor from a sack kept on a motorcycle parked at the house of co-accused Sunil Kumar Mahto.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that petitioner had lent his bike to Sunil Kumar Mahto



and was completely unaware that the same would be misused for such illegal purpose.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bibhutipur P.S. Case No. 54 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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