

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51781 of 2021

Arising Out of PS. Case No.-29 Year-2019 Thana- MAHINDWARA District- Sitamarhi

Dilip Sah Son of Mahindra Sah Resident of Village - Olipur Sarhachia, P.S.-
Mahindwara, and Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-04-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a)(b)(c)(f), 34, 36, 41 of the Bihar Prohibition & Excise Act.



There is recovery of 78 litres of Indian made Foreign Liquor. One Kamlesh Kumar was apprehended from the spot who disclosed the name of this petitioner as one of his associates who fled away from the place of seizure.

It is submitted by learned counsel for the petitioner that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. Moreover, similarly situated co-accused Vinod Kumar @ Vinod Sahni has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 16.11.2019 passed in Cr. Misc. No. 51213 of 2019. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on



furnishing bail bonds of Rs. 10,000/-(Ten Thousands)
with two sureties of the like amount each to the
satisfaction of learned Additional District Judge-II-cum-
Special Judge, Excise Act, Sitamarhi in connection with
Mahindwara P.S. Case No. 29 of 2019, subject to the
conditions as laid down under Section 438(2) of the
Cr.P.C.

(Sunil Kumar Panwar, J)

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