

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52419 of 2021

Arising Out of PS. Case No.-125 Year-2020 Thana- MASHRAK District- Saran

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ARUN SAH S/O- Late Ram Jatan Sah Resident of village - Rajapatti Gola
Dumarsan, P.S. - Mashrakh, Distt. - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kumari

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-04-2022 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 Mashrakh P.S. Case no. 125 of 2020 instituted for the
offence under Sections 147, 148, 149, 341, 323, 353, 272, 273,
504, 506 of the Indian Penal Code and Sec. 30, 30(a), 38, 41 and
45 of the Excise Act.

Prosecution case relates to recovery of 30.125 litres of
IMFL from the shop of co-accused Dashrat Sah.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Petitioner has no concern with the alleged recovery or
with the place of occurrence. 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 Mashrakh P.S. Case no. 125 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 2nd Additional Sessions Judge-cum-Special Judge, Excise Saran at Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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