

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43987 of 2022

Arising Out of PS. Case No.-604 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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SUNIL MAHTO @ NANHKI @ SUNIL KUMAR Son of Nagendra Mahto
Resident of Village - Purani Gudri, P.s.- Muzaffarpur Town , Distt.-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-11-2022 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 Town P.S. Case no. 604 of 2020 instituted for the offence
under Sections 272, 273, 414/34 of the IPC and Section 30(A)
of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 110 litres of
illicit liquor from three motorcycles and apprehended co-
accused Ranjan Kumar disclosed that he was going to deliver
the said liquor to the petitioner.

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. The name of the petitioner has been disclosed in this case by the apprehended co-accused Ranjan Kumar, before the police, which has no evidentiary value in the eye of law. 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 Town P.S. Case no. 604 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 Court No. 1, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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