

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43589 of 2022

Arising Out of PS. Case No.-239 Year-2020 Thana- BALIYA District- Begusarai

UTTAM KUMAR S/o Chandar Dev Tanti Resident of Ward No. 08,
Faulwaria, P.S.- Baliya, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Md. Shakir Ahmad

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 Balia P.S. Case no. 239 of 2020 instituted for the offence under Sections 272, 273, 120-B/34 of the IPC and Section 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 319 litres from the house of co-accused Jhalo Sah.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He is not named in the FIR. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery. The name of the petitioner has been surfaced in this case



because of seizure of his vehicle, which was parked near 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 Balia P.S. Case no. 239 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 Special Excise Court no. 2, Begusarai subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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