

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44292 of 2022

Arising Out of PS. Case No.-177 Year-2022 Thana- SAHEBGANJ District- Muzaffarpur

VINAY KUMAR Son of Pradip Mahto Resident of village - Lalganj, Patwa Toli, P.S.- Lalganj, District - Vaishali at Hajipur, Presently residing at village - Rampur Asli, P.S.- Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Shaheen Begum

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 Sahebganj P.S. Case no. 177 of 2022 instituted for the offence under Sections 272, 273/34 of the IPC and Section 30(a) and 41(1) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 60 litres IMFL from the house of co-accused Ashok Mahot and he along with the petitioner are indulged in business of illicit liquor.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no



concern with the alleged recovery or with the place of occurrence. The name of the petitioner has been disclosed in this case by the apprehended co-accused Ashok Mahto, 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 Sahebganj P.S. Case no. 177 of 2022, 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 Special Judge Excise Court No. II, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

