

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55173 of 2021

Arising Out of PS. Case No.-36 Year-2021 Thana- BODHGAYA District- Gaya

Mahendra Kumar @ Raju @ Mahendra Prasad Son of Kartik Prasad Resident
of Village - Khetko, P.S.- Bagodar, District - Giridih, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-04-2022 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 420, 467, 468, 471, 120 (A) of the Indian
Penal Code and Sections 30(a), 36, 41(i) of the Bihar
Prohibition & Excise Act.



There is recovery of huge quantity of Indian made Foreign liquor from a truck. The petitioner and others are alleged to have fled away from the place of seizure.

It is submitted by learned counsel for the petitioner that nothing has been recovered from the conscious possession of the petitioner. The petitioner has not been apprehended from the spot. The name of the petitioner sprang up only on the confessional statement of the apprehended accused persons. The petitioner has no concern either with the seized liquor or the truck in question. 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, Gaya in connection with Bodhgaya P.S. Case No. 36 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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