

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41035 of 2020**

Arising Out of PS. Case No.-540 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

VIKRAMA SAH @ VIKRAM KUMAR SAH Son of Jawahir Sah Resident
of Village- Dubauliya Chauk, P.S.- Majhauriya, Distt- West Champaran
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 04-03-2022 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 Muffasil P.S. Case no. 540 of 2019 instituted for the offence under Sections 272, 273, 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 1287 liters of Nepali liquor from a pick-up van. Petitioner succeeded in fleeing away leaving behind the pick-up van. After a long chase, co-accused Manoj Giri was apprehended and he disclosed the name of the petitioner as absconder.

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. From para 11 of the petition, it appears that the alleged vehicle does not belong to the petitioner. The name of the petitioner has been disclosed in this case by the apprehended co-accused, namely, Manoj Giri, which has no evidentiary value in the eye of law.

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 Muffasil P.S. Case no. 540 of 2019, 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 7th Additioanl Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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