

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4728 of 2021

Arising Out of PS. Case No.-7 Year-2017 Thana- GOVINDPUR District- Nawada

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GARIBNATH SAH Son of Naga Sah Resident of Village- Loma, P.S.-
Tisiauta, Distt- Vaishali Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar
For the Opposite Party/s : Mr. AAP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 01-02-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Govindpur P.S. Case no. 07 of 2017 instituted for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case relates to recovery of 320 litres
of country made liquor from Tata Victa Sumo bearing
Registration No. BR-1AP-9080, which belongs to the petitioner.



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. It appears from para-3 of the supplementary affidavit that the alleged vehicle belongs to Bhola Rajak. Petitioner has no concern either with the alleged recovery or with the vehicle in question.

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 Govindpur P.S. Case no. 07 of 2017, 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 Additional District & Sessions Judge-Iind,cum-Special Judge, Nawada subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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