

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53859 of 2022

Arising Out of PS. Case No.-82 Year-2022 Thana- DEWARIA District- Muzaffarpur

Pinku Kumar @ Pinku Rai, aged about 32 years, male, son of Dinanath Rai,
resident of village- Dhumnagar, P.S. Deoriya, District- Muzaffarpur.

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 272,
273, 34 of the I.P.C. and Section 30(a) of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case and the allegation is of
recovery of 18.360 litres of liquor from a plastic sack found
under a tree situated at Eastern Balia.

The learned counsel for the petitioner submits that the
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is also submitted
that even the alleged recovery is from a place which is
accessible to public at large and petitioner came to be implicated



as he had antecedent under the Excise Act.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Deoriya P. S. Case No.82 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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