

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67473 of 2021

Arising Out of PS. Case No.-409 Year-2019 Thana- BIDUPUR District- Vaishali

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1. MANOJ KUMAR SAH S/o Ram Ishwar Sah @ Ram Eshwar Sah Resident of Village - Sahdei Buzurg (Sarai Dhananti), P.S. - Desari, District - Vaishali.
 2. Sanjeev Kumar S/o Suresh Singh Resident of Village - Panapur Bateshwar Nath, P.S. - Jandaha, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-05-2022 At the outset of argument learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition of petitioner No.2, Sanjeev Kumar.

Prayer is allowed.

This anticipatory bail petition is dismissed as withdrawn against petitioner No.2.

Heard learned counsel for the petitioner and the State.

Petitioner No.1 apprehends his arrest in a case registered for the offence punishable under Section 30 (a), 38 of the Bihar Prohibition & Excise Act.

As per the prosecution case 4906 liters of foreign liquor has been recovered from a DCM truck which was followed by a Scorpio vehicle and petitioner No.1 is owner of



the Scorpio vehicle.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioner or his vehicle and he has been implicated in the case only because he is owner of the Scorpio vehicle. Petitioner claims clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and clean antecedent of the petitioner, let the petitioner No.1, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II-cum-Special Judge, Excise Act, Vaishali at Hajipur in connection with Bidupur PS case No. 409/2019, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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