

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.314 of 2022

Arising Out of PS. Case No.-307 Year-2021 Thana- WARISLIGANJ District- Nawada

RAJU KUMAR @ VICKY Son of Vibhishan Prasad Resident of Village - Mir
Bigha Chakbay, P.S.- Warsaliganj, Distt.- Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Ranjan Kumar
For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 29-07-2022 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 Warsaliganj P.S. Case no. 307 of 2021 instituted for the offence under Sections 30(a), 37(c) and 41 of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of two bottles containing 250 ml and 500 ml from a field and one co-accused, namely, Chunnu Prasad, was arrested on spot, who disclosed the name of the petitioner as of his associate.

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 or with the place of occurrence. The name of the petitioner has been disclosed in this case by co-accused Chunnu Prasad before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

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 Warsaliganj P.S. Case no. 307 of 2021, 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 Judge II-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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