

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67672 of 2022

Arising Out of PS. Case No.-223 Year-2021 Thana- SARAIYA District- Muzaffarpur

SANNY KUMAR Son of Pramod Kumar Rai Resident of Village- Harpur,
P.S.- Kathaiya, District- Muzaffarpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-12-2022 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 Saraiya P.S. Case no. 223 of 2021 instituted for the offence under Sections 272, 273/34 of the IPC and Section 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 1320 litres illicit liquor from the truck of the petitioner and driver and khalasi of the said truck were apprehended on spot.

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. Because of his ownership, he has been implicated in the present case. 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.

Petitioner is directed to deposit Rs. 70,000/- (Rs. Seventy thousand) in the concerned DLSA.

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 Saraiya P.S. Case no. 223 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 Exclusive Special Judge, Excise, Court-II, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 70,000/- (Seventy thousand only) by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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