

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5694 of 2023

Arising Out of PS. Case No.-112 Year-2020 Thana- NIMA CHANDPURA District-
Begusarai

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SANJEEV KUMAR @ SANTOSH KUMAR Son of Rambalak Singh R/V-
Khamhara, P.s- Muffasil, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate.

For the Opposite Party/s : Mr. Satya Nand Shukla,, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 30-05-2023 Heard Mr. Arjun Prasad, learned counsel for the

petitioner and Mr. Satya Nand Shukla, learned Additional Public

Prosecutor appearing for the State.

Petitioner apprehends arrest in connection with

Neema Chandpura P.S. Case No. 112 of 2020 dated 18.12.2020

registered for the offence punishable under Sections 420, 120-B

of the Indian Penal Code and Section 30(a) of the Bihar

Prohibition and Excise Act, 2016.

As per the allegation, the Police on the basis of secret

information that a consignment of liquor has been brought on a

truck, proceeded towards the place of occurrence and recovered

a total quantity of 2898.810 litres of liquor from the possession

of co-accused Ranvir Kumar who disclosed the name of



petitioner and others and has said that the consignment of liquor was brought at the behest of the petitioner and other accused persons.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of disclosure of his name by the arrested co-accused. He further submits that the illicit liquor has not been recovered from the possession of the petitioner and/or vehicle or the premises belonging to him. There is no likelihood that the petitioner will abscond or tamper with the evidence while released on bail. The co-accused Krishna Kumar has been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. 20037 of 2021.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that illicit liquor has not been recovered from the conscious possession of the petitioner and/or vehicle/premises belonging to him and other co-accused person has been granted anticipatory bail by a co-ordinate Bench of this Court, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail



bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-2, Begusarai, in connection with Neema Chandpura P.S. Case No. 112 of 2020, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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