

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48846 of 2023

Arising Out of PS. Case No.-331 Year-2023 Thana- MAHUA District- Vaishali

SANJEEV KUMAR Son of Manoj Sharma Resident of village - Mirja Nagar
Dogra, P.S. - Mahua, Distt. - Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-08-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Mahua P.S. Case no. 331 of 2023, registered under sections 272, 273 and 34 of the Indian Penal Code and section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on information having been received, a raid was conducted. 24 litres of liquor was recovered, however, the four accused persons managed to escape. The villagers on inquiry disclosed the name of the four persons, who had managed to escape and which included the petitioner herein.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's



possession. The petitioner has no concern with the allegedly seized liquor nor with the place of recovery. He has been falsely implicated in the case at the instance of his enemies and has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration that no incriminating article has been recovered from the petitioner's possession nor does he have any connection with the place of its alleged seizure together with the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Mahua P.S. Case no. 331 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned In-charge Court of Special Excise Court-2nd cum Additional District and Sessions Judge, Vaishali at Hajipur.

(Partha Sarthy, J)

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