

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 59156 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- BANNUBAGICHA District- Lakhisarai

Sumit Kumar @ Pandey, S/O Raj Kumar Yadav @ Raj Yadav, Resident Of
Village- Lakhochak, P.S.- Kiul, District-Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Bannubagicha P.S. Case No. 01 of 2023 instituted under
Section 30 (a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 40 litres of illicit
country made Mahua liquor was recovered from two
motorcycles.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case due to four
criminal antecedents against him. Petitioner was neither
apprehended on the spot nor concerned with the seized
motorcycles except the disclosure made by the apprehended co-
accused. There is no material /evidence against the petitioner.

5. Learned A.P.P. for the State opposes the prayer for



anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Additional District & Sessions Judge V- cum- Exclusive Special Excise Court II, Lakhisarai in connection with Bannubagicha P.S. Case No. 01 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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