

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59297 of 2023**

Arising Out of PS. Case No.-211 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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BHANTU @ RAJEEV KUMAR S/O JANAK RAY @ MANAK RAY R/O
VILLAGE- RAMPUR BISHUN, WARD NO. 13, PS. WARISNAGAR,
DIST. SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Opposite Party/s : Mr.Vinod Shanker Modi

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 22-09-2023 1. Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
3. The petitioner is apprehending his arrest in connection with Excise P.S. Case No. 211 of 2023 dated 13.03.2023, in a case registered for the offences punishable u/s



30(a) of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, total 26.25 litres of Indian made Foreign liquor was recovered from the possession of the co-accused persons. The co-accused persons were apprehended on the spot who disclosed that Deva and Bhantu (this petitioner) who fled away from the spot, helped them to stop the train by tampering the signal after putting coin.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Nothing was recovered from the possession of the petitioner. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Samastipur in connection with Excise P.S. Case No. 211 of 2023, subject to conditions as laid down under section 438(2) of



the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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