

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74092 of 2023

Arising Out of PS. Case No.-68 Year-2023 Thana- MADHWAPUR District- Madhubani

Sunil Kumar @ Sunil Mishra @ Sunil Kumar Mishra, aged about 51 years (Male), Son of Shyam Nandan Mishra, Resident of Village-Madhwapur, P.S.- Madhwapur, District- Madhubani.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Subhash Kumar Jha, Advocate
For the Opposite Party : Mr. Khurshid Anwar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 30-11-2023 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 Madhwapur P.S. Case No. 68 of 2023 dated 15.07.2023, corresponding to G.R. No. 1114 of 2023 registered for the offence punishable under Sections 272, 273, 414, 120B/34 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

4. As per the prosecution case, total 333 litres of illicit liquor was recovered from the car. On enquiry, police learnt that



the petitioner is engaged in the delivery of the liquor at Saharghat.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. No incriminating article has been recovered from the conscious possession of the petitioner. It is submitted that neither the car nor the liquor belong to the petitioner. It is further submitted that the petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. No case is made out against the petitioner.

6. Learned A.P.P. for the State has 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/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhubani in connection with Madhwapur P.S. Case No. 68 of 2023, corresponding to G.R. No. 1114 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.



8. The application stands allowed.

(Chandra Prakash Singh, J)

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