

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19161 of 2024

Arising Out of PS. Case No.-83 Year-2019 Thana- DHAKA District- East Champaran

Sanoj Kumar, aged about 28 years, Male, S/o Nandu Ram, R/o Vill - Chainpur Dhaka, P.S. - Dhaka, Dist. - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate

For the Opposite Party : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-03-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Dhaka P.S. Case No. 83 of 2019 dated 09.03.2019 registered for the offences punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 72 litres of Nepali liquor was recovered from the motorcycle which was left by the petitioner.

4. 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



possession of the petitioner. It is submitted that the petitioner is not the owner of the motorcycle in question. The name of the petitioner has sprung up in the present case on the basis of the confessional statement of the driver, namely, Md. Muslim. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

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

6. 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, East Champaran, Motihari in connection with Dhaka P.S. Case No. 83 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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