

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54733 of 2024

Arising Out of PS. Case No.-105 Year-2023 Thana- BHAIKAVSHTHAN District-
Madhubani

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Sandeep Kumar @ Sandip Kumar son of Bijendra Yadav Village- Bhariya
Bishanpur, Ps- Rajnagar, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Bharti, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-09-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Bhairavsthan P.S. Case no.105 of 2023 registered for the offence punishable under sections 272 and 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per allegation in the F.I.R, 27 litres of Nepali liquor was recovered from the motorcycle in question and one Raj Kishore Yadav was taken into custody.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession or from his house and the cause of his false implication is that the



motorcycle from which the alleged recovery is said to have taken place is registered in the petitioner’s name. The petitioner has no criminal antecedent and undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., no incriminating article having been recovered from the petitioner’s possession or from his house and his not having any criminal antecedent under the Bihar Prohibition and Excise Act, 2016, 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 Bhairavsthan P.S. Case no.105 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 Special Judge Excise Act, Jhanjharpur, Madhubani.

Bibhash/-

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(Partha Sarthy, J)

