

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60045 of 2024

Arising Out of PS. Case No.-55 Year-2019 Thana- THARTHARI District- Nalanda

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Babloo Kumar S/o- Late Kapil Yadav @ Late Barahil Yadav R/O - Atbalchak,
P.S - Tharthari, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Tharthari P.S. Case No. 55 of 2019 registered for the
offences punishable under Sections 272 & 273 of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition and
Excise Act.

3. Prosecution case in short is that 20 litres liquor was
recovered from Atabalchak in Badhar near Pain.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got



no criminal antecedent. There is no compliance of Section 100 of Cr.P.C. Other co-accused has been granted regular bail by this Court *vide* order dated 09-04-2024, passed in Cr. Misc. No. 27868 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Tharthari P.S. Case No. 55 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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