

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62686 of 2024

Arising Out of PS. Case No.-229 Year-2021 Thana- BAISI District- Purnia

Sushil Kumar Yadav @ SushilFoujeeSahab @ Sushil Kumar Foujee @ Sushil Kumar S/o Nandan Prasad Yadav R/o vill - Pathraha, P.S. - Madhepura, Distt. - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Chandra Mohan Jha, Advocate
For the State : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-09-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 419, 420, 467, 468, 471, 484, 272 and 273 of the Indian Penal Code and Sections 30(a), 41 and 47 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 142.530 litres illicit liquor has been recovered from a scorpio vehicle of co-accused Raja Kumar @ Sumit Kumar.

4. It is submitted by learned counsel for the petitioner that nothing has been recovered from conscious possession of this petitioner and he has been made an accused in this case merely because he happens to be father of co-accused Raja



Kumar @ Sumit Kumar. Petitioner claims clean antecedents.

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

6. Considering the aforesaid facts and circumstances, the fact that nothing has been recovered from conscious possession of this petitioner and clean antecedents, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise 1st, Purnea, in connection with Baisi P.S. Case No. 229 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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