

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63043 of 2024

Arising Out of PS. Case No.-172 Year-2024 Thana- TAJPUR District- Samastipur

Sunny Kumar @ Shani Kumar Son of Anil Singh Resident of Village -
Songer, P.S- Tajpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 06-12-2024 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Tajpur P.S. Case No. 172 of 2024 dated 06.07.2024 registered for the offences punishable u/s 336(3) and 338 of the Bhartiya Nyaya Sanhita and Section 30(a), 41(1) and 41(2) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 909 litres of illicit foreign liquor was recovered from the Tata Vehicle which was parked in the garage of the co-accused, Anil Singh.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The petitioner is neither the owner of the vehicle nor the owner of the garage. The petitioner has no concern with the alleged recovery. The other co-accused person has already been granted bail by this court *vide* order dated 21.09.2024 passed in Cr. Misc. No. 66601/2024. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently 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/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Samastipur, in connection with Tajpur P.S. Case No. 172 of 2024, subject to conditions as laid down under section 482(2) of the B.N.S.S., with further condition:-

(i). The petitioner is directed to remain physically



present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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