

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69053 of 2024

Arising Out of PS. Case No.-188 Year-2023 Thana- KALYANPUR District- Samastipur

Pappu Kumar Sah @ Pappu Sah, Son of Chandeshwar Sah, Resident of
Village- Kushaiya, P.S.- Warisnagar, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Kalyanpur P.S. Case No. 188 of 2023 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. The case of the prosecution is that from the orchard of one Shatrughan Deo and from the bike, total 400.500 liters of foreign liquor was recovered. Petitioner is the owner of said bike.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this



case. Neither the petitioner was apprehended on the spot nor any incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner has sold his bike to one Dhananjay Kumar on 15.10.2022. The petitioner is having one criminal antecedent which is of the year 2011.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Kalyanpur P.S. Case No. 188 of 2023, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court-I, Samastipur, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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