

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68596 of 2024

Arising Out of PS. Case No.-304 Year-2018 Thana- BAISI District- Purnia

Sintu kumar son of Jarman Yadav @ Jarman Prasad Yadav Village-
Kanchangadh, Bank, P.S -Mufassil, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Jha, Adv.

For the Opposite Party/s : Mr.Anant Kumar 1, APP

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

ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Special Case No. 1172 of 2018 arising out of Baisi P.S. Case No. 304 of 2018 registered for the offences punishable under Sections 272/273 of the Indian Penal Code and Section 30(a)/38/41/47 of the Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, the police has recovered 94.500 liters illicit foreign liquor from the Ace Gold vehicle bearing Regd. No. BR08G-4803. It is alleged that the petitioner is being indulged in transporting, storing and buying-selling of the foreign liquor.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner was not travelling along with the vehicle, in question but, is the owner of the same and the said vehicle was for commercial purpose, given to the driver to carry goods. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged seized liquor. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner as also the petitioner having no criminal antecedent, 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 Special Case No. 1172 of 2018 arising out of Baisi P.S. Case No. 304 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

