

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82924 of 2024

Arising Out of PS. Case No.-64 Year-2022 Thana- ARER District- Madhubani

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Bimalesh Kumar Son of Jivachh Yadav Resident of village- Arraha, Ward No. 06, Police Station- Jaynagar, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-12-2024 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 Arer P.S. Case no. 64 of 2022 instituted for the offence under Sections 272 and 273 of the Indian Penal Code.

3. The case of the prosecution is that from a bike, 2.250 of illicit liquor was recovered.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that name of the petitioner has surfaced during investigation as the petitioner is the owner of the bike. No one was apprehended on the spot. It is further submitted that one of his friend borrowed



his bike for some personal work. He has got no concern with the alleged bike.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner stating that the petitioner is having criminal antecedent of two cases of similar nature.

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 Arer P.S. Case no. 64 of 2022, 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 2nd Additional Sessions Judge cum Special Judge, Excise Act, Madhubani subject to the conditions as laid down under section 438(2) of the Cr.P.C., subject to condition that the petitioner shall not indulge himself of similar nature of offence in near future.

(Ashok Kumar Pandey, J)

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