

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24251 of 2021**

Arising Out of PS. Case No.-4 Year-2021 Thana- BAIKUNTHPUR District- Gopalganj

SATISH SINGH @ MITHLESH KUMAR SINGH @ MITHLESH SINGH
Son of Roop Nath Singh Resident of Village- Sabili, P.S.- Baikunthpur,
District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Prasad

For the Opposite Party/s : Mr.APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 20-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Baikunthpur P.S. Case no. 04 of 2021 instituted for the
offence under Sections 30(a)/41 of the Bihar Prohibition and
Excise Act, 2018.

The prosecution case relates to recovery of 36.54



litres of illicit liquor from a Tempo bearing Registration No. BR-04PA-5128 and one co-accused namely, Bharat Das was apprehended on spot and has taken the name of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. He has got no criminal antecedent. The name of the petitioner has been disclosed in this case by the co-accused, namely, Bharat Das, who was arrested on spot, which has got no evidentiary value in the eye of law. Petitioner has no concern either with the vehicle or with the alleged recovery.

Learned APP appearing for the State has opposed the prayer of Bail.

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 Baikunthpur P.S. Case no. 04 of 2021, 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, Gopalganj subject to the conditions as laid down under section



438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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