

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24092 of 2021

Arising Out of PS. Case No.-198 Year-2020 Thana- MUFFASIL District- Aurangabad

Sintu Saw @ Siddu Saw @ Siddu Kumar Son Of Shankar Saw R/O Village-
Sundarganj, P.S.- Risiyap, District- Aurangabad (BIHAR)
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-01-2022 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 Muffasil P.S. Case no. 198 of 2020 instituted for the
offence under Sections 30(a) of Bihar Excise Prohibition
Amendment Act.

Prosecution case relates to recovery of 646.5 litres
IMFL.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no



offence. He has got no criminal antecedent. The name of the petitioner has been disclosed in this case by the co-accused, namely, Kaushal Kumar Singh, who was arrested on spot, which has no evidentiary value in the eye of law. Case of the petitioner stands on better footings to that of the co-accused who has already been granted bail.

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 Muffasil P.S. Case no. 198 of 2020, 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 Additional Sessions Judge-II-cum-Special Judge (Excise), Aurangabad subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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