

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29374 of 2021

Arising Out of PS. Case No.-100 Year-2019 Thana- RASULPUR District- Saran

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VISHAL SINGH S/o Late Sakaldeo Singh @ Ramsakal Singh R/O Village -
Tesuar, P.S. - Rasulpur District – Saran. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar Bhaskar
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-02-2022 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 Rasulpur P.S. Case no. 100 of 2019 instituted for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

As per allegation in the FIR, acting on a tip off, police
party proceeded towards place of occurrence and on search in an
orchard situated at the outskirts of Village Dohar, 2789.97 liters



of IMFL has been recovered. Local people has disclosed the names of several accused persons including this petitioner.

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. Petitioner has no concern with the alleged recovery or with the orchard in question. The name of the petitioner has been disclosed in this case by the local person, which has no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his possession. Similarly situated accused persons have already been granted bail by a different co-ordinate Bench of this Court vide order dated 9.7.2020 passed in Cr. Misc. No. 10557 of 2020.

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 Rasulpur P.S. Case no. 100 of 2019, 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, Saran at Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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