

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32938 of 2021**

Arising Out of PS. Case No.-21 Year-2017 Thana- PIRO District- Bhojpur

MAHENDRA SINGH Son of Late laxman Singh Resident of Village - Arang,  
P.S.- Dinara, Distt.- Rohtas. ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shiv Prasad Gupta

For the Opposite Party/s : Mr.APP

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

7      01-08-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Piro P.S. Case no. 21 of 2017 instituted for the offence under Section 30(a), 41 and 56(D) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 81 litres illicit wine from an Alto car bearing Reg. No. Br-1S-8020. On seeing the police party, accused persons, who were sitting inside the car, managed to escape.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The alleged car belongs to Shiv Muni Singh and he never sold the said vehicle to the petitioner nor executed any sale deed, which is mentioned in para nos. 2 and 3 of the



supplementary affidavit. He is not named in the FIR but only on mere suspicion, his name has been surfaced in the present case. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that petitioner has one criminal antecedent of similar nature.

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 Piro P.S. Case no. 21 of 2017, 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 IV Additional Sessions Judge-cum-Special Judge, Excise, Bhojpur at Ara subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

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