

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24307 of 2022**

Arising Out of PS. Case No.-82 Year-2022 Thana- BARHARIA District- Siwan

MAHESH PASI S/o Raj Kumar Pasi R/o village- Koyarigama Yogi Tola, P.S.-
Barharia, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam

For the Opposite Party/s : Mr.Sangeeta Sharma

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

2 26-08-2022 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 Barharia P.S. Case no. 82 of 2022 instituted for the offence under Section 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 10 litres of mahua wine from behind the room the the petitioner and he managed to escape.

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 place of



occurrence. Local person has disclosed the name of the petitioner before the police, which has got no evidentiary value in the eye of law. 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.

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 Barhariya P.S. Case no. 82 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 Court of Exclusive Special Judge Excise Court No. 1, Siwan subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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