

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34104 of 2021

Arising Out of PS. Case No.-214 Year-2020 Thana- DHANSOI District- Buxar

Niraj Kumar Singh Son Of Satyendra Singh Resident Of Village- Banni,
Police Station Dhansoi, District- Buxar Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Pandey

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-02-2022 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 Dhansoi P.S. Case no. 214 of 2020 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

As per allegation in the FIR, acting on a secret information, police has proceeded towards place of occurrence and saw that two persons were coming on a motorcycle. On seeing the police, they tried to escape but both were apprehended after chase and 131 piece bottle each containing 180 ml of illicit liquor were seized. On query, it came to light that he stored a huge quantity of liquor in a room of water tank for delivery of different persons including the 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 vehicle in question. The name of the petitioner has been disclosed in this case by the apprehended co-accused, 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 conscious 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 Dhansoi P.S. Case no. 214 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 ADJ-2nd-cum-Special Judge Excise, Buxar subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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