

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34392 of 2021

Arising Out of PS. Case No.-712 Year-2019 Thana- MAHUA District- Vaishali

Prince Kumar Son Of Late Balram Singh R/O Village- Ward No.2, Mahua,
Singh Ray, P.S.- Mahua, Dist.- Vaishali Petitioner/s
Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha
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 Mahua P.S. Case no. 712 of 2019 instituted for the offence under Section 30(a), 32(i), 34(ii), 38(i), 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 540 litres of IMFL from a pick-up van which was parked near Bathna Kali Temple.

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 either with the alleged recovery or with the vehicle in question. The name of the petitioner has been disclosed in this



case by the local chaowkidar, 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 Mahua P.S. Case no. 712 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 Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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