

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37860 of 2021

Arising Out of PS. Case No.-230 Year-2020 Thana- BAHERI District- Darbhanga

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BIPIN KUMAR @ BIPIN KUMAR MAHTO Son of Ramashish Singh
Resident of Village - Madhutole, P.S.- Khanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 13-04-2022 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 Baheri
P.S. Case no. 230 of 2020 instituted for the offence under Sections
30(a), 41 of Bihar Prohibition and Excise Act.

As per allegation in the FIR, when the police forces had
gone to arrest one warranty, they saw that several vehicles were
parked there and work of loading and unloading cartoons of wine
was going on. After seeing the police party, several persons managed
in fleeing away but one person in Wagoner car was arrested and
disclosed his name as Amarjit Mandal and he surfaced the name of
the petitioner as liquor trader.

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 vehicles in question. The name of the petitioner has been disclosed in this case by the apprehended co-accused Amarjeet Mandal, which has no evidentiary value in the eye of law. Similarly accused persons have already been granted anticipatory bail by a different co-ordinate bench of this Court vide order dated 23.2.2022 passed in Cr. Misc. No. 11999 of 2021.

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 Baheri P.S. Case no. 230 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 2nd Additional Sessions Judge-cum-Special Judge (Excise Act), Darbhanga subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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