

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30257 of 2022

Arising Out of PS. Case No.-98 Year-2022 Thana- DEEPNAGAR District- Nalanda

PINTU KUMAR SON OF SIYASHRAN YADAV R/O VILLAGE- SIPAH,
P.S.- DEEPNAGAR, DISTRICT- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-09-2022 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 Deepnagar P.S. Case no. 98 of 2022 instituted for the offence under Sections 30(a) and 30(c) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 85 litres of country made liquor from the bank of the river and Chaukidar identified the fled persons and disclosed the name of 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 place of occurrence. The name of the petitioner has been disclosed in this case by the Chaukidar before the police, which has 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 Deepnagar P.S. Case no. 98 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 Special Judge-I (Excise) Bihar Sharif, Nalanda subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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