

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49015 of 2022

Arising Out of PS. Case No.-137 Year-2022 Thana- SAHAR District- Bhojpur

MANTU SAW @ BADAL S/O JAY KUMAR SAW Resident of village-
Bathani Tola, P.S.- Sahar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Narain Yadav

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-11-2022 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 Sahar P.S. Case no. 137 of 2022 instituted for the offence under Section 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of fifteen litres country made mahua liquor, which was kept behind the house 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. The name of the petitioner has been disclosed in this case by the local person, 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 considering the recovery of meagre quantity, 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 Sahar P.S. Case no. 137 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 Exclusive Special Excise Court No. II, Bhojpur, Ara subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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