

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49032 of 2022

Arising Out of PS. Case No.-228 Year-2022 Thana- PALASI District- Araria

SANTOSH SAH @ SANTOSH KUMAR SAH Son of Laddu Sah @ Laksh-
man Sah @ Laxman Shah Resident of Village - Thakur Tola Palasi, ward
No.05, P.s.- Palasi, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Sanjay Kumar

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 Palasi P.S. Case no. 228 of 2022 instituted for the offence
under Section 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 5.4 litres of
nepali liquor which was kept hidden in heap of straw, which be-
longs to 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 pe-
titioner has been disclosed in this case by the nearby person be-



fore 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 considering the recovery of meagre quantity of 5.4 litres of liquor, 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 Palasi P.S. Case no. 228 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 II, Araria subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

