

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52235 of 2022

Arising Out of PS. Case No.-261 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

Santosh Kumar Singh Son of Late Nibbul Singh Resident of village -
Dawank, Shivpur Baburi, P.S.- Jamalpur, District - Mirzapur (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-11-2022 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 Mohania P.S. Case no. 261 of 2022 instituted for the offence under Sections 30(a), 36 & 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 115.5 liters illicit liquor from a black color Scorpio bearing Registration No. UP65BL-1500.

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 is the registered owner of the said vehicle but he has no concern with



the alleged recovery of illicit liquor or with the place of occurrence. He handed over his vehicle to one Pawan Sharma. The name of the petitioner has been disclosed in this case by the co-accused driver of the said vehicle namely, Pawan Sharma, who was arrested on spot. 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.

The petitioner is directed to deposit a sum of Rs 20,000/- (Twenty Thousand) in the District Legal Services Authority of concerned District.

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 Mohania P.S. Case no. 261 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 Excise No.1 cum A.D.J. IV, Kaimur at Bhabua subject to the conditions as laid



down under section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 20,000/- (Rs. Twenty thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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