

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52818 of 2022

Arising Out of PS. Case No.-853 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Pappu Ray S/O Bhola Rai Resident Of Village- Diwantok Saraypur P.S.-
Hajipur Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-11-2022 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 Hajipur Sadar P.S. Case no. 853 of 2021 instituted for the offence under Sections 30(a), 37(c) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 95 litres of country made liquor from Tempo.

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 apprehended persons, namely, Sukjdev Mahto, Sunil



Mahto and Vinay Kumar, who were arrested on spot. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession. The petitioner has no concern either with the seized illicit liquor or with the vehicle in question.

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 Hajipur Sadar P.S. Case no. 853 of 2021, 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 Excise Court No. I-cum-Additional District and Sessions Judge, Vaishali, Hajipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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