

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9300 of 2021

Arising Out of PS. Case No.-242 Year-2020 Thana- DESARI District- Vaishali

Shiv Kumar Pal @ Siddhi Raut Son Of Asarphi Raut R/O Village-
Marauatpur, P.S.- Desri, District- Vaishali, Bihar. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Chandra

For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Desri P.S. Case no. 242 of 2020 instituted for the offence
under Section 30 of the Bihar Excise Prohibition and
Amendment Act.

Prosecution story relates to recovery of 64.780 litres
IMFL from the house of co-accused Nirshan Sah, who has
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. The name of the petitioner has been disclosed in this case by the co-accused, namely, Nirshan Sah, who was arrested on spot. In fact, the alleged recovery has been made from the house of the co-accused Nirshan Sah and not from the house of the petitioner.

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 Desri P.S. Case no. 242 of 2020, 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 Additional District Judge-II-cum-Special Judge, Vaishali at 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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