

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55164 of 2022

Arising Out of PS. Case No.-218 Year-2020 Thana- DALSINGHSARAI District- Samastipur

Raja Kumar S/O Bhim Mahto @ Arjun Mahto Resident Of Village- Bhatgama
Tola, Kairav P.S.- Dalsinghsarai, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-11-2022 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 Dalsinghsarai P.S. Case no. 218 of 2020 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 315 liters illicit country made liquor from bamboo orchard which belongs to Tuntun Ray.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Petitioner has no concern with the alleged recovery of illicit liquor. It is



further submitted that the place of recovery which is Bamboo orchard does not belong to the petitioner. 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.

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 Dalsinghsarai P.S. Case no. 218 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 Special Excise Court 1st, Samastipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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