

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61271 of 2023

Arising Out of PS. Case No.-580 Year-2022 Thana- Excise P.S. District- Siwan

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SURESH SINGH S/O SUKHDEV SINGH R/O VILLAGE- UKHAI
RASULPUR, P.S- SIWAN MUFFASIL, DISTT.- SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 16-10-2023 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Excise PS case no. 580 of 2022, disclosing
offences punishable under Section 30(a) of Bihar Prohibition
and Excise (Amendment) Act, 2022.
3. The prosecution case, in brief, is that the
informant/ A.S.I. of Police, on secret information that one
Suresh Singh was indulged in selling illicit liquor along with
one Sonu Kumar, proceeded towards the place of occurrence
and upon seeing the police party, the said Suresh Singh
(petitioner herein) has succeeded in fleeing away while Sonu
Kumar was arrested from the spot, who disclosed the name of



the petitioner. Upon search, 4.320 liters of illicit liquor has been recovered from the possession of said Sonu Kumar.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence, as alleged and he has been falsely implicated in this case on the basis of secret information received by the police. The petitioner is stated to be having a clean antecedent. It is further submitted that illicit liquor has not been recovered from conscious possession of the petitioner and his name has transpired in this case on the basis of disclosure made by the arrested co-accused person.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that the illicit liquor has not been recovered from conscious possession of the petitioner, I am inclined to grant the privilege of anticipatory bail to the petitioner.

7. This application is, accordingly, allowed.

8. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Court no.-II, Siwan in connection with Excise PS Case No. 580 of 2022,



subject to the condition laid down under Section 438 (2) of the
Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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