

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43970 of 2024

Arising Out of PS. Case No.-5 Year-2023 Thana- CHARPOKHARI District- Bhojpur

Ghanshyam Singh Yadav @ Ghanshyam Singh S/o Navratan Singh R/o
Malthar, P.S. - Udwant Nagar, Distt. - Bhojpur, Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarveshwar Tiwary, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-06-2024 Heard learned counsel for the petitioner and Mr. Singh,
learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in a case instituted for the offence under Sections 30(a) and 38 of the Bihar Prohibition and Excise Act, 2018.

3. As per allegation in the FIR, on getting secret information about selling of wine, police apprehended one of the accused persons, namely, Prem Kumar Singh, who disclosed the name of the present petitioner. At his instance, from Baithaka of co-accused Bhushan Singh, 1387.500 litres of wine was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The name of the petitioner has been disclosed in this case by the co-accused, namely, Prem Kumar, who was arrested on spot.



Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his possession. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 3.5.2023 passed in Cr. Misc. No. 15356 of 2023.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. 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 Charpokhari P.S. Case no. 5/2023, 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 Exclusive Special Excise Court No. 1, Bhojpur, Ara subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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