

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79511 of 2024

Arising Out of PS. Case No.-507 Year-2024 Thana- MASHRAK District- Saran

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Vishal Kumar Singh @ Sanjeet Kumar Singh @ Vishal Singh S/o Rajmohan
Singh R/o Village- Mashrakh Purab Tola, P.S.- Mashrakh, District- Saran at
Chapra (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Mashrakh P.S. Case No. 507 of 2024 for the offence under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 20.08.2024 by the informant, Sujeet Kumar

3. As per the prosecution story, recovery of total 70 litre of spirit has been made from two blue coloured *gallons* which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that no illicit liquor has been recovered from the conscious possession of the petitioner. He further submits at para 7 of the petition that the alleged place of recovery being the paddy field of Sant



Kumar is an open place not belonging to the petitioner and accordingly from the alleged place of recovery of wine also the petitioner is having no concern.

5. Learned APP opposes the prayer for bail.

6. Keeping in view the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra in connection with Mashrakh P.S. Case No. 507 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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