

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 52377 of 2017**

Arising Out of PS. Case No.-78 Year-2017 Thana- Rasulpur District- Saran

Hare Ram Singh S/o Late Chandeshwar Singh, R/o Vill. - Nawada, P.S.  
Rasulpur, District – Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Prabhakar Singh

For the O.P./State : None

**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2. 09-11-2017 Heard Sri Prabhakar Singh, learned counsel for the petitioner. None appeared on behalf of State.

The sole petitioner, apprehending his arrest in Rasulpur P.S. Case No. 78 of 2017 registered for offence under Sections 30/38 of Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner that it is a peculiar case, in which, the informant, who is police officer, has stated as if he got information that petitioner with other were involved in the offence of Excise Act and thereafter, he alongwith his team arrived in an orchard of Lalan Singh and from that orchard, huge quantity of recovery of foreign liquor has been shown. It has been argued that nothing was stated as to how petitioner's name has surfaced, whereas, the petitioner is having clean antecedent, which fact has been stated in paragraph



– 3 of the petition.

Besides hearing learned counsel for the petitioner, I have also perused the material on record. Fact remains that as per F.I.R. itself, recovery of huge quantity of foreign liquor was shown from the orchard of one Lalan Singh and petitioner has been made accused in the present case, who is having clean antecedent.

Considering the nature of accusation as well as clean antecedent of the petitioner and the fact that no recovery was effected from conscious possession of the petitioner, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Hare Ram Singh be enlarged 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 Addl. District & Sessions Judge – 6<sup>th</sup>, Saran at Chapra in connection with Rasulpur P.S. Case No. 78 of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

**(Rakesh Kumar, J.)**

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