

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54617 of 2017**

Arising Out of PS.Case No. -121 Year- 2017 Thana -KALYANPUR District- SAMASTIPUR

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Deepak Kumar Singh Son of Chandan Kumar Singh @ Lal Singh, R/o  
Village- Koyla Kund, P.S.- Kalyanpur, District- Samastipur, Bihar.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      16-11-2017                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Petitioner apprehends his arrest in Kalyanpur P.S. Case  
No.121 of 2017 for the offences under Sections 272, 273 of the  
I.P.C. and Sections 30, 38 of the Bihar Prohibition and Excise Act.

Counsel for the petitioner has submitted that one  
Cartoon containing 125 liters Royal Stag foreign liquor was  
recovered from the dickey of T.V.S. motor cycle. The petitioner is  
said to have fled away leaving the aforesaid motor cycle. It is  
alleged that the said motor cycle was registered in the name of one  
Nilesh Singh, Benta, P.O. Chakwa, P.S. Baheri, Darbhanga.  
Further submission is that the seized motor cycle does not belong  
to the petitioner. It is mentioned in para 3 of the petition that the



petitioner has no criminal antecedent.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. Let the petitioner, above named, in the event of their arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-2<sup>nd</sup> –cum- Special Judge, Bihar Prohibition and Excise Act, Samastipur, in Kalyanpur P.S. Case No.121/17 subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(Sanjay Priya, J)**

AnilKrSinha/-

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