

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16470 of 2017

Arising Out of PS.Case No. -13 Year- 2017 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

Niranjan Kumar Singh, Son of Ram Vinay Singh, Resident of Village-
Gavandri, P.S.- Kundwachainpur, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Sri Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 07-07-2017 Heard Sri Abhishek Kumar, learned counsel for the

petitioner and Sri Chandra Bhushan Prasad, learned Additional

Public Prosecutor.

The sole petitioner, apprehending his arrest in
Kundwachainpur P.S. Case No. 13 of 2017 , G.R. Case No. 123
of 2017 , registered for the offence under Section 272, 273 , 34 of
the Indian Penal Code and Section 30(a), 37(a) of the Bihar
Prohibition and Excise Act, 2016 has prayed for grant of bail in
the event of arrest or surrender.

It was submitted by learned counsel for the petitioner
that from conscious possession of the petitioner nothing was
recovered, however it was alleged that after noticing Police
petitioner along with one another while moving on motorcycle,



threw motorcycle and a bag, which was containing Indian make foreign liquor about 28.5. liters. By way of referring to statement made in paragraph no. 3 of the petition, he submits that petitioner is having clean antecedent.

Learned Additional Public Prosecutor has opposed the prayer for grant of anticipatory bail. He submits that the person who was driving motorcycle has subsequently been arrested and taken into custody.

However, considering the nature of accusation as well as the fact that nothing was recovered from conscious possession of the petitioner, in the event of arrest or surrender within a period of six weeks from today, let the petitioner Niranjan Kumar Singh 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 Sub Divisional Judicial Magistrate, Sikrahana at Dhaka, Motihari, East Champaran / concerned court in connection with Kundwa Chainpur P.S. Case No. 13 of 2017, G.R. Case No. 123 of 2017 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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