

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15875 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -JIRADEI District- SIWAN

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Rakesh Kumar Singh, aged about 34 years, son of Vidya Singh, Resident of village-Jamapur, Resident of village-Jamapur, P.S. Jiradei, District-Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Sandesh Roy

For the Opposite Party/s : Mr. Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

6 21-11-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Jiradei P.S. Case no. 11 of 2017, registered under Sections 272, 273 and 308 of the Indian Penal Code and Section 30, 38 of the Bihar Prohibition and Excise Act.

The accusation is that on receiving secret information about illegal business of illicit liquor near H.P. Gas agency in village Jiradei, the informant reached there and saw two persons boarded on motorcycle having three cantons of illegal liquor and four persons having two cartons moving towards Jamalpur village. On seeing the Police personnel they fled away. The people present there disclosed the name of two persons, who were on motorcycle as Rajesh Singh and Rakesh Singh (Petitioner) and they also disclosed the name



of four persons indulged in carrying the cartons of liquor as Rajesh Sah, Amrendra Chouhan,, Ravi Singh and Chotelal Jaiswal. After opening of cartons, 465 pieces, each containing 200 ML country made liquor recovered.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that petitioner was not apprehended on the spot, rather the name of petitioner and others have been disclosed by the persons present on the spot. The petitioner has no criminal antecedent. Further submission is that co-accused Rajesh Singh @ Rajesh Kumar Singh has already been allowed pre-arrest bail vide Criminal Miscellaneous No. 22495 of 2017 on 13.07.2017.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M. Siwan in connection with Jiradei P.S. Case No. 11 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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