

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 52721 of 2017

Arising Out of PS. Case No.-468 Year-2017 Thana- Khagaria District- Khagaria

Navin Kumar son of Bhola Singh, R/o Vill. Kashimpur, P.S. Khagaria, Distt. Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 09-11-2017 Heard Sri Ram Sumiran Rai, learned counsel for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Khagaria (Muffasil) P.S. Case No. 468 of 2017 registered for offence under Section 120(B) of the Indian Penal Code and Section 30(a) of the 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, petitioner has been made accused on an allegation that from the mobile phone of petitioner, through which, an information was given to the police regarding concealment of wine in the house of one Krishnadeo Singh, whereas, fact remains that on the basis of said information, police conducted a raid and recovered about two liter of country-made liquor from the house of Krishnadeo



Singh and petitioner has been made accused as if petitioner himself has falsely implicated Krishnadeo Singh in the case and instead of arraying Krishnadeo Singh, from whose house recovery was effected, as accused, the owner of the said mobile i.e. petitioner has been made accused. Learned counsel for the petitioner has also drawn my attention to the statement made in paragraph – 3 of the petition to show that petitioner is having clean antecedent.

Considering the nature of accusation as well as fact that on information provided by the so called mobile recovery was effected from the house of one Krishnadeo Singh and clean antecedent of the petitioner, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Navin Kumar 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. Sessions Judge - 3rd, Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 468 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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