

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44722 of 2018

Arising Out of PS.Case No. -385 Year- 2017 Thana -SIWAN MUFFASIL District- SIWAN

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Deepak Singh, Son of Late Birendra Kumar Singh, resident of Goura
Hathisar, P.S. - Goura, District - Saran.

.... Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Kant Singh, Advocate.

For the Opposite Party : Smt. Anita Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 25-07-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 420 of the IPC and 37(GH)
of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that some unknown
persons complained the Superintendent of Police, Siwan, that
some police personnels are consuming liquor and are sharing the
picture of the same on the Face Book. On the basis of same, the
matter was enquired and investigated. Thereafter, an F.I.R. was
lodged against four police personnels including this petitioner.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the



petitioner. The name of the petitioner has come in the present case on the basis of photograph on the Face Book where he has been shown consuming liquor. Except for this, there is no other substantive evidence to suggest his implication in the present case. The petitioner is a government servant. The photograph shown on the Face Book is alleged to have been manufactured. There is no recovery of liquor from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-2-Siwan-cum-Special Judge, Excise, Siwan, in connection with Siwan Muffassil P.S. Case No. 385 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)