

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74799 of 2018

Arising Out of PS. Case No.-222 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

Sanjay Singh @ Sanjay Kumar Singh S/o- Late Kameshwar Singh, resident of
Village- Debaria, P.S.- Mashrakh, District- Chhapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh

For the Opposite Party/s : Mr.Sri Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Baikunthpur P.S. Case No. 222/2018 registered under Sections 420, 379/34 of the Indian Penal Code and Section 30(a), 41(i)(ii) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that as per allegation some persons were found there in the vehicle in which the alleged illicit liquor was lying. It is alleged that one Ramesh Singh was arrested on the spot who disclosed the name of other persons, who, according to the informant, had fled away. Learned counsel submits that it is a case of false implication as he is neither the owner or driver of the vehicle and has no reason to be implicated in the case under the Excise



Act.

In the facts and circumstances of the case where it is the case of the petitioner that he was not caught with any illicit liquor and police was brought his name in this case on mere hearsay, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj, in connection with Baikunthpur P.S. Case No. 222/2018, subject to condition that petitioner shall join investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation, failing which the Investigating Officer shall be at liberty to take steps for cancellation of bail. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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