

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23122 of 2018

Arising Out of PS. Case No.-236 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Rabindra Kumar Singh S/o Late Shivdheri Singh Resident of Village -
Budhvihar Colony, P.S. - Rupaspur, District - Patna.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kumar Shankaram, Adv.

For the Opposite Party/s : Mr. Ram Priya Saran Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 23-04-2018 Heard Sri Kumar Shankaram, learned counsel for the

petitioner and Sri Ram Priya Saran Singh, learned Addl. Public

Prosecutor.

The sole petitioner, apprehending his arrest in Special
Case No.663/18 arising out of Excise P.R. Case No.236 of 2018,
registered for the offence under Sections 30(a), 38(2) of the
Bihar Prohibition and Excise Act, 2016, has prayed for grant of
bail, in the event of his arrest or surrender.

At the very outset, learned counsel for the petitioner
submits that the petitioner is a owner of the premises, which
was let out to one Ravi Kumar through one Sanjeet Kumar, a
property dealer. Subsequently, on the basis of confidential
information, the police conducted a raid and from the said



premises, huge of quantity of Indian Make Foreign liquor was recovered and the petitioner being owner of the house has been made accused, whereas fact remains that during investigation, it has come that tenant Ravi Kumar in connivance with Sanjeet Kumar, a property dealer, was dealing in liquor. It has also been argued that the petitioner is an Assistant Engineer, Planning and Development Department, Govt. of Bihar and after letting out of the said house, it was entire responsibility of the tenant however the petitioner only being owner of the premises has been made accused. It has also been argued that the petitioner was also not at all aware of the fact that the tenant was involved in dealing in the liquor. Learned counsel for the petitioner has drawn my attention to the statement made in paragraph-3 of the petition to show that the petitioner is having clean antecedent.

Learned Addl. Public Prosecutor has opposed the prayer for bail.

Considering the nature of accusation as well as the fact that the petitioner was owner of the said premises, which was let out to the tenant on rental basis as well as clean antecedent, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Rabindra Kumar Singh, be released on bail on furnishing bail



bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna in connection with Special Case No.663/18 arising out of Excise P.R. Case No.236 of 2018, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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