

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 23544 of 2018

Arising Out of PS. Case No.-440 Year-2017 Thana- Bakhtiyarpur District- Saharsa

Anuranjan Singh S/o Ram Kinkar Singh , R/o Vill.- Shankarpur, P.s.-
Bakhtiyarpur (Balwahat O.P.), District- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. R.C. Thakur

Mr. Anil Kumar

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 23-04-2018 Heard Sri R.C. Thakur, learned counsel assisted by Sri
Anil Kumar, learned counsel for the petitioner and learned Addl.
Public Prosecutor.

The sole petitioner, apprehending his arrest in
Bakhtiyarpur P.S. Case No. 440 of 2017 registered for offence
under 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.

Learned counsel for the petitioner, at the very outset,
has drawn my attention to statement made in paragraph – 3 of
the petition to show that petitioner is having clean antecedent. It
has further been argued that nothing was recovered from
conscious possession of the petitioner nor anything was
recovered from the house of the petitioner. Learned counsel for
the petitioner submits that from the F.I.R. itself, it is evident that



near a toilet, which was on the back side of the house, some bottles of Indian make foreign liquor was shown to be recovered. He submits that it was an open place and there was every possibility that some other person might have kept the same and petitioner, being house-owner, has been implicated in the present case. He further submits that considering the antecedent of the petitioner, it is evident that petitioner was never involved in such type of crime.

In view of facts and circumstances, particularly the fact that nothing was recovered from the conscious possession of the petitioner or house of the petitioner as well as clean antecedent of the petitioner, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Anuranjan Singh 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 A.D.J. II cum Special Judge of Excise, Saharsa in connection with Bakhtiyarpur P.S. Case No. 440 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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