

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 35954 of 2018

Arising Out of PS. Case No.-10 Year-2018 Thana- Tisiouta District- Vaishali

Raj Kishore Singh son of Late Bishwanth Singh, resident of Village- Aswari,
P.S.- Tisiouta, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 28-06-2018 Heard Sri Mukesh Kumar Singh, learned counsel for the petitioner and Mr. Matloob Rab, learned Addl. Public Prosecutor.

The sole petitioner, having clean antecedent, which fact has been stated in paragraph – 3 of the petition, apprehending his arrest in Tisiouta P.S. Case No. 10 of 2018 registered for offence under Section 414 of the Indian Penal Code and Sections 30(A), 32(ii), 38(ii), 41(i) of 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, by way of referring to F.I.R., submits that it is a peculiar case that though petitioner was never earlier indulged in any cases relating to Excise Act or other offence, the police without any rhyme and reason has arrayed petitioner as माफिया (*Mafiya*) indulged in the trade of liquor. In this case, one truck, bearing registration no. RJ22G-



2745 and a Bolero, bearing registration no. BR31P-8737 were noticed in an isolated field in the village and police arrived there and from Bolero and Truck, huge quantity of Indian make foreign liquor was recovered. He submits that owner of Bolero and driver of the Truck were arrayed as accused, however; officer incharge has inserted petitioner's name showing, as if, petitioner was *Mafiya* of liquor.

Besides hearing, I have perused the F.I.R. and after going through the same as well as considering the fact that petitioner is having clean antecedent, I am of the opinion that it is a fit case for extending the privilege of anticipatory bail.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner namely Raj Kishore 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. IInd cum Spl. Judge, Vaishali at Hajipur in connection with Tisiouta P.S. Case No. 10 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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