

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13245 of 2019

Arising Out of PS. Case No.-791 Year-2018 Thana- PHULWARISHARIF District- Patna

Bunty Singh @ Bunty Kumar aged about 33 years Son of Late Gajendra Prasad Singh Resident of Mohalla- Narayan Nagar, Balmichak, P.S.- Phulwari, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratyush Kumar

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-03-2019 Heard learned counsel for the petitioner, no one appears on behalf of the State to oppose this application.

Petitioner is seeking anticipatory bail in connection with Phulwari P.S. Case No. 791 of 2018 registered for the offences punishable under Sections 30 (a) and Section 38 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the alleged recovery of illicit liquor has been done from one Sumo Victa which does not belong to this petitioner. The name of the petitioner has transpired in the statement of the apprehended accused where he has stated that one Banti Singh son of not known, resident of Narayan Nagar is involved as a mediator in the transaction of supply of liquor. Learned counsel for the petitioner submits that there is no recovery from the house of the petitioner rather the recovery at the instance of the arrested accused has been made from the house of Surendra



Kumar alias Mohan. It is submitted that thereafter the allegations have been made against another Banti Singh who is son of Nawab Lal Rai resident of Harnichak. Learned counsel submits that this petitioner has got no criminal antecedent.

In the given facts and circumstances of the case, where there is no recovery from the house of the petitioner and he is said to be a person having clean antecedent, let in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Spl. Excise Judge, Patna in connection with Phulwari P.S. Case No. 791 of 2018, subject to the condition that petitioner shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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