

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33845 of 2019**

Arising Out of PS. Case No.-598 Year-2018 Thana- BRAHMPUR District- Buxar

PINTOO SINGH Son of Gopal Jee Singh Resident of Village- Sapahi, P.S.-
Brahmpur, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mrs.Renuka Ratnakar

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 08-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner in the present case is seeking anticipatory
bail in connection with Brahmapur P.S. Case No.598 of 2018
registered for the offence punishable under Sections 30(a)/47 of
the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
name of the petitioner has been involved in the present case on
mere suspicion. It is submitted that when the police party
stopped the motorcycle on which some persons were coming, it
is alleged that this petitioner was one of those persons who fled
away after leaving the motorcycle and the cartoons kept thereon.
It is further submitted that neither the motorcycle belongs to this
petitioner nor the petitioner has any connection with the alleged



liquor. He is a person having one case on his head in which he is on bail. Learned counsel submits that although this statement has not been made in paragraph 3 of the application, but he has specific instruction to say that the petitioner is on bail in the said case and the said case is not of similar nature.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner. However, no material has come to say that the petitioner has any connection with the seized motorcycle.

In the given facts and circumstances of the case where it is submitted by this petitioner that the motorcycle in question does not belong to him and nothing incriminating has been recovered from his house, let the petitioner above named in case of his arrest or surrender within four weeks from today in connection with Raghapur P.S. (Rustampur O.P.) Case No.39 of 2019, be released on bail on execution of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judge Excise-cum-A.D.J.-II, Vaishali at Hazipur, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or



indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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