

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43949 of 2019

Arising Out of PS. Case No.-212 Year-2018 Thana- SANGRAMPUR District- East
Champaran

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Chhutan Singh @ Abhishekh Kumar Singh, Son of Jyot Narayan Singh,
Resident of Madhubani, Pachpatia Tola, P.S.-Sangrampur, District-East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Pronoti Singh

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 18-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Sangrampur P.S. Case No. 212 of 2018 registered under
Sections 272 and 273 of the Indian Penal Code and Sections
30(a) and 21(1) of the Bihar Excise Act.

The accusation is that in course of patrolling duty,
informant along with other police personnel saw that a truck
was parked and some persons were engaged in unfolding the
Tripal from the truck and 7 to 8 persons were present there. On
seeing the informant and other police personnel, all started to
flee away but on chased they started to flee away while one



person was apprehended, who disclosed his name as Md. Arif. On search of truck, 3456 litres Indian made foreign liquor were recovered and other materials were also seized from the aforesaid truck. On query, Md. Arif disclosed the name of 11 persons including the petitioner, who succeeded to flee away.

Learned counsel for the petitioner submits that petitioner is neither the driver nor the owner of the truck, from which, 3456 litres Indian made foreign liquor alleged to be recovered and his name has come in the confessional statement of co-accused, Md. Arif, who was apprehended on the spot by the police. In fact, petitioner is accused in similar nature of one another case bearing Harsidhi P.S. Case No. 90 of 2018, in which, he is on bail and due to that reason, petitioner has falsely been implicated in the present case.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 7th Additional Sessions Judge-cum-Special Judge, Excise, East Champaran, in connection with Sangrampur P.S. Case No. 212 of 2018, subject



to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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