

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55880 of 2019

Arising Out of PS. Case No.-184 Year-2019 Thana- BARHARA District- Bhojpur

1. VIJAY SINGH, aged about 45 years, Male, Son of Ramanuj Singh, Resident of Village - Udaybhanpur, P.S.- Krishnagarh, District - Bhojpur
2. Dhiraj Singh, aged about 43 years, Male, Son of Manjit Singh, Resident of Village - Udaybhanpur, P.S.- Krishnagarh, District - Bhojpur

... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 03-09-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

Learned counsel for the petitioners submits that petitioner no. 1, Vijay Singh, has been taken into custody and prays to withdraw the prayer of pre-arrest bail on his behalf.

Prayer is allowed.

This application is dismissed as infructuous so far petitioner no. 1, Vijay Singh, is concerned.

The petitioner no. 2, Dhiraj Singh, seeks pre-arrest bail in connection with Excise Case No. 1310 of 2019 arising out of Barhara (Khawaspur) P.S. Case No. 184 of 2019 for the offence alleged under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.



In course of patrolling duty, informant, along with other police officials received information about carrying the liquor loading on Splendor motorcycle towards Mahulighat. Thereafter, informant and others reached there. On seeing the police personnel one person fell down from the motorcycle, who started to flee away and other accelerated the speed of the motorcycle. On chase, one person was caught hold, who disclosed his name as Raju Paswan and on search of his bag 20 bottles, each containing 375 ml, 14 bottles, each containing 180 ml of Indian made foreign liquor recovered and he also disclosed the name of the petitioners, who succeeded to flee away accelerating the motorcycle.

The submission of the learned counsel for the petitioner no. 2 submits that he was not apprehended on the spot rather his name has come in the confessional statement of co-accused, Raju Paswan. Petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner no. 2, Dhiraj Singh, in the event of surrender/arrest, within a period of four weeks from today, in connection with Excise Case No. 1310 of 2019 arising out of



Barhara (Khawaspur) P.S. Case No. 184 of 2019 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional District Judge, IV, Bhojpur at Ara, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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