

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56616 of 2019

Arising Out of PS. Case No.-80 Year-2019 Thana- KALYANPUR District- East Champaran

MINTU SINGH Son of Surendra Singh Resident of Village - Siswa Narsingh,
P.S.- Kalyanpur, Distt - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-09-2019 This application, for grant of anticipatory bail, arises out of Kalyanpur P.S. Case No. 80 of 2019, disclosing offences under Sections 272, 273 and 34 of the Indian Penal Code and Section 30(a), 41(1) of the Bihar Prohibition and Excise Act.

Prosecution case is that the police on the basis of secret information reached at village – Kaithwaliya and saw a truck covered with tripal and a mini van standing beside the truck and on seeing the police, some persons started fleeing away but on chase two persons including the driver of the mini van were arrested and on search 3800 litres of raw spirit was recovered from the truck and 600 litres of raw spirit was recovered from the mini van and apprehended accused disclosed that they purchased the spirit from one Rajeshwar Pandey and petitioner is the person, who had brought the same.



Submission of learned counsel for the petitioner is that he has no criminal antecedent and has falsely been implicated in this case only on the basis of disclosure made by the apprehended accused persons.

Learned counsel for the State opposed the prayer for bail and submitted that petitioner is named in the F.I.R. and huge quantity of spirit has been recovered.

Having heard both sides, in view of the above facts, this application is disposed of with direction to the petitioner to surrender in the court below within a period of two weeks from the date of receipt of a copy of this order in the court below and the court below after verifying the case diary and if there is no material except what is submitted by learned counsel for the petitioner, he will release the petitioner on bail to his own satisfaction, otherwise, petitioner will have to surrender and pray for regular bail.

(Vinod Kumar Sinha, J)

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