

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80611 of 2019

Arising Out of PS. Case No.-248 Year-2019 Thana- KHARIK District- Bhagalpur

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MITHAI SINGH @ SHIV SHANKAR SINGH @ SHIV SHANKAR, (Male)
aged about 40 years Son of Sitaram Singh, Resident of Village - Telghi, P.S.-
Kharik, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.

For the Opposite Party/s : Mr.Ajay Kumar No. 2 (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 09-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, apprehend his arrest registered for the
offences punishable under Sections 30(a), 38(1) of Bihar Excise
Prohibition Amendment Act, 2018.

Informant who is a police officer has stated in his
written complaint that on 01.10.2019 at about 8:00 P.M., he
received a secret information that from a Tata 407 vehicle illicit
liquor was being unloaded and was being kept in the Vasa of
Rajniti Singh, son of Sita Ram Singh and on getting said
information he along with other police personnel proceeded
towards said place and as people assembled there on seeing
police fled away and the said vehicle along with illicit liquor
was seized but no satisfactory explanation was provided by the



owner of the Vasa.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Nothing has been recovered from his house or from his possession as such no offence under Excise Act is made out against him. He is a handicapped person having no criminal antecedent. He has been made accused as he is son of Sita Ram Singh and brother of main accused Rajniti Singh.

Considering the facts and circumstances of the present case, let petitioner, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on pre-arrest bail on furnishing bail bond of Rs. 20,000/- (Twenty thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Bhagalpur, in connection with Kharik P.S. Case No. 248 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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