

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7884 of 2020

Arising Out of PS. Case No.-139 Year-2019 Thana- DURAULI District- Siwan

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DHANANJAY KUMAR SINGH, Son of Binod Singh @ Vinod Singh
Resident of Village - Muda Karmwar, P.S.- Darauli, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 29-02-2020 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under Sections 272, 273, 420 and 120(B) of Indian Penal Code and Sections 30(a) and 38(i) of the Bihar Prohibition & Excise Act, 2016.

Informant is a Police Officer who in his self-statement has stated that on 22.08.2019, he received a confidential information that some miscreants are unloading illicit liquor from the truck and as he reached said place, he found 6 miscreants were unloading illicit liquor from a truck and loading the same on Bolero vehicle. Two of the miscreants were nabbed and others managed to escape and apprehended persons disclosed their name as Ranjan Kumar Singh and Ankit



Kumar Yadav @ Prakod Yadav and 373.800 litres of illicit liquor was recovered from bolero vehicle and 2277 litres of illicit liquor was recovered from truck.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case on the basis of so called disclosure made by apprehended persons. It has further been submitted that petitioner was neither apprehended on the spot nor any illicit liquor has been recovered from his possession as such no offence under Excise Act is made out. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Darauli P.S. Case No.139 of 2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.



(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

Sanjay/-

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