

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9632 of 2019

Arising Out of PS. Case No.-215 Year-2018 Thana- NAUTAN District- Siwan

RAJBIR SINGH @ BAMBAM SINGH @ BAMBAM KUMAR, aged about
25 years, Male, son of Pappu Singh, R/o village Fatehpur behind V-Mart, P.S.
Siwan Town, district Siwan ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kumar Tiwary, Adv.

For the Opposite Party : Mr. Sharda Kumari, APP

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

ORAL ORDER

4 31-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Nautan P.S. Case No. 215 of 2018, registered under Sections
272, 273, 308 and 34 of the Indian Penal Code and 30(a), 38(A)
and 41(1) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of patrolling duty, the
informant, along with other police personnel, received
information about carrying the illicit liquor from the Uttar
Pradesh by Bambam Singh (petitioner) along with his
associates, Shiv Kumar and others loading on white colour
Scorpio towards Bhawani Chapar, Jagdishpur border.
Thereafter, the informant proceeded there and started checking
of the vehicle. In the meantime, one white colour Scorpio was
seen coming towards village Patkhauri. On seeing the police



party, driver of the vehicle stopped the vehicle at some distance and three persons, including the driver, started to flee away. On chase, one was apprehended while two succeeded to flee away. Two persons were also identified in the head light of vehicle as Shiv Kumar Yadav, driver, and other person as Bambam Singh (petitioner). The caught hold persons disclosed his name Md. Arfin Ahmad. On search of Scorpio, 2736 bottles, each containing 180 Indian made foreign liquor, recovered.

Submission is that petitioner was not apprehended on spot, nor the petitioner is the owner or the driver of the seized vehicle. Due to high-handedness of police, the name of the petitioner has been shown in this case with contention that he was identified at the time of fleeing away by the local Chowkidar. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Nautan P.S. Case No. 215 of 2018 shall be released on 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 & Sessions Judge II-cum-Special Judge, Excise, Siwan, or the successor Court subject to



the conditions as laid down under Section 438(2) Criminal
Procedure Code.

(Rajendra Kumar Mishra, J)

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