

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.9622 of 2020**

Arising Out of PS. Case No.-236 Year-2019 Thana- KATRA District- Muzaffarpur

SAROJ KUMAR @ SAROJ SINGH Son of Ram Chandra Singh Resident of
Village - Dhanaur, P.S.- Katara, Distt - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vaidehi Raman Prasad Singh, Advocate
For the Opposite Party/s : Mr.Parmanand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 11-06-2020 This application has been placed for consideration by

the order of the Hon'ble the Chief Justice through virtual court

proceeding.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner in the present case is seeking anticipatory

bail in connection with Katra P.S. Case No. 236 of 2019 registered

for the offence punishable under Sections 272, 273 of the Indian

Penal Code and Section 30(a) and 38(i) of Bihar Prohibition &

Excise Act.

Learned counsel for the petitioner submits that the

alleged recovery of illicit liquor has been made from the

godown of Dinesh Singh to which the petitioner has no concern.

It is further submitted that the petitioner has been implicated in



this case only because of two cases earlier lodged against him of similar nature but in this case there is no material to connect him with the present case.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein as per the first information report the alleged illicit liquor has been recovered from the godown of co-accused Dinesh Singh and not from possession of this petitioner but the name of this petitioner has been brought in this case as an associate of Dinesh Singh who is engaged in sell of illicit liquor, the submission being that the petitioner has been falsely implicated in this case because he was made accused in two cases earlier of similar nature in which he is on bail and in the present case there is no material against him to connect him with the recovery of illicit liquor from the godown of Dinesh Singh, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Katra P.S. Case No. 236 of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur,



subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

