

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12017 of 2020

Arising Out of PS. Case No.-277 Year-2017 Thana- KARAHGAR District- Rohtas

RADHESHYAM SINGH Son of Late Ram Sakal Singh Resident of Village -
kalyanpur, P.S.- Kargahar, Dist.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Adv.

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-06-2020 Heard learned counsel for the petitioner and
learned APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Kargahar P.S. Case No. 277 of 2017, registered under sections 272, 273 and 120B of the Indian Penal Code and sections 30(a), 35 and 41 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on secret information having been received a vehicle was stopped and on search 675 litres of liquor was recovered from the same. The accused Rajesh Kumar Gupta and Abhinav Kumar, who were in the said vehicle, did not produce any paper for the



liquor. It is further stated that Rajesh Kumar Gupta in his confessional statement named 34 other accused persons including the petitioner herein.

It is submitted by learned counsel for the petitioner that except the confessional statement of co-accused made before the police, there is no other material against him. No recovery has taken place from his person or possession.

The application for bail is opposed by learned APP for the State. He submits that the petitioner is named in the FIR and he also has one earlier case under the Excise Act pending against him.

Having heard learned counsel for the parties and taking into consideration the fact that neither the petitioner was arrested at the spot nor any recovery has taken place from his possession, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Kargahar P.S. Case no. 277 of 2017, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction



of learned 2nd Additional District and Sessions Judge-cum-Special Judge, Excise, Rohtas at Sasaram subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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