

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.10201 of 2020**

Arising Out of PS. Case No.-135 Year-2019 Thana- KUTUMBA District- Aurangabad

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DHANANJAY KUMAR SINGH @ DHANANJAY SINGH Son of Ram
Nagina Singh Resident of Village - Dhawanakhap, P.S.- Nabinagar, District-
Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

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

2 12-06-2020 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 Kutumba P.S. Case No. 135 of 2019
registered for the offence punishable under Section 30(a) of Bihar
Prohibition & Excise Act.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case as the
apprehended accused has not disclosed the name of the
petitioner. It is further submitted that the petitioner has already
sold his motorcycle to one Ranjay Singh @ Ghuturan Singh
and to that effect the purchaser has sworn his affidavit.

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, Police intercepted the motorcycle and also arrested the person who was trying to flee away after leaving the motorcycle and on his arrest the apprehended accused informed that the co-accused Aman Kumar was working as a liner for him, the submission of learned counsel for the petitioner that this petitioner has not been named by the apprehended accused and Annexure '3' is an affidavit sworn by one Ranjay Kumar Singh @ Ghuturan Singh of village Bariyawan saying that the petitioner had sold the motorcycle to him and further that the petitioner has no criminal history, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Kutumba P.S. Case No. 135 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 Additional District & Sessions Judge – VII – cum Special Judge (Excise), Aurangabad, 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'.

