

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No. 16467 of 2020**

Arising Out of PS. Case No.-307 Year-2019 Thana- BARH District- Patna

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ABHISHEK SINGH @ ABHISE KUMAR SINGH @ ABHISHEK KUMAR
SINGH Son of Pramod Kumar Singh @ Pramodh Kumar Singh Resident of
Village - Sahari, P.S.- Barh, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey,Advocate

For the Opposite Party/s : Mr.Parmanand Kumar,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 Barh P.S. Case No. 307 of 2019 (Special
Case No. 6052 of 2019) registered for the offences punishable
under Section 30(a) of Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the illicit liquor has not been
recovered from the conscious possession of the petitioner and
he has no criminal antecedent.

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



Considering the facts and circumstances of the case wherein, the illicit liquors have been recovered from a *makka* field and the seizure list witnesses are not independent witnesses, they are members of the raiding party and the name of this petitioner has been brought in this case without disclosing any source of identity and considering that petitioner has no criminal antecedent, there being no prima-facie material to connect the petitioner in the present case, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Barh P.S. Case No. 307 of 2019 (Special Case No. 6052 of 2019) be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna, District Patna, 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)

SUSHMA2/Arvind

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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'.

