

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24835 of 2020

Arising Out of PS. Case No.-3 Year-2020 Thana- MOTIHARI MUFASIL District- East
Champaran

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Bhuwar Singh @ Ray Bahadur Kumar Singh @ Ram Bahadur Singh S/O
Nagina Singh Resident of Village - Raysingha, P.S. - Muffasil Motihari,
District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-12-2020 Heard learned counsel for the petitioner and
learned APP for the State through video conferencing.

The instant application for anticipatory bail has
been filed by the petitioner apprehending his arrest in
connection with Motihari Mufassil P.S. Case No. 3 of 2020,
registered under sections 272, 273 and 34 of the Indian Penal
Code and section 30(a) of the Bihar Prohibition and Excise Act,
2016.

As per allegation in the F.I.R., on seeing the police
personnel, the two occupants on the motorcycle abandoned the
motorcycle and managed to escape. It is stated that 20 litres of
country liquor was recovered from a container.

It is submitted by learned counsel for the petitioner that



no recovery as alleged has taken place. The petitioner was not an occupant on the motorcycle. With reference to the seizure list, it is submitted that the place of seizure of the liquor is stated to be the bushes besides a side road. It is further submitted that the other F.I.R. named co-accused Krishna Singh who is also stated to be on the said motorcycle has been enlarged on bail vide order dated 14.10.2020 passed in Cr.Misc. No.24899 of 2020. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that the petitioner has no criminal antecedent and grant of anticipatory bail to the co-accused, this 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 Motihari Mufassil P.S. Case No. 3 of 2020, he will be enlarged 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 learned 9th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran, subject to the conditions as laid down in section



438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

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