

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32544 of 2020**

Arising Out of PS. Case No.-707 Year-2019 Thana- MAHUA District- Vaishali

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SUMIT SINGH @ SUMIT KUMAR SINGH @ CHANDAN SINGH S/o
Umesh Singh R/o village- Mahua Singh Rai, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 15-12-2020

This matter has been taken up in virtual Court.

Let the defects be removed within two weeks of the
start of the physical Court.

Heard the parties.

The petitioner is languishing in custody for the
offence punishable under Sections 30(a), 32(ii), 34(ii), 38(ii)
and 41(i) of the Bihar Prohibition and Excise Act.

Petitioner was not there at the time of recovery. On
suspicion, petitioner was implicated in this case.

Learned counsel for the petitioner submits that the
same police station has implicated the petitioner in several other
identical cases disclosed in Para-3 of the bail petition and in
some of those cases, petitioner was allowed anticipatory bail by
different Benches of this Court. No prima facie case is made out



against the petitioner. In fact, the petitioner is victim of police atrocity.

Considering the submission aforesaid and no direct material against the petitioner in the present case, let the petitioner, who is in custody since 02.08.2020, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Mahua P.S. Case No. 707 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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