

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71869 of 2019

Arising Out of PS. Case No.-350 Year-2019 Thana- CHAINPUR District- Kaimur (Bhabua)

1. RAJESH SINGH @ RAJESH KUMAR SINGH Son of Jhallan Singh
Resident of Village - Barari, P.S.- Chand, District- Kaimur at Bhabua
2. Lallu Singh Son of Kapil Singh Resident of Village - Khamidaira, P.S.-
Durgawati, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh

For the Opposite Party/s : Mr.Parmanand Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 05-02-2020 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Chainpur P.S. Case No.350 of 2019 registered under
Section 30(A) of the Bihar Excise (Amendment) Act, 2018.

The accusation is that on receiving information about
keeping the liquor in the room inside the Chamber, situated
towards the road connecting to Dhobri, the informant along with
other police personnel reached there. On seeing the police
vehicle, one person started to flee away from there but, on
chase, he was apprehended, who disclosed his name as Om
Prakash Pandey and admitted that the room inside the Chamber



is belonging to him. On search, 54 cartoons, containing 2585 bottles each of 180 ml. Indian Made Foreign Liquor, were recovered from the room inside the Chamber. On query, he also disclosed that Rajesh Singh (petitioner no.1) with his associates Mintu Singh, Chunmun Singh, and Lallu Singh (petitioner no.2) used to supply the liquor and the seized liquor was kept there by them.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that the petitioners were not apprehended on the spot rather their name has been disclosed by the apprehended accused Om Prakash Pandey. Since the petitioner no.1 is accused in one more case and the petitioner no.2 is also accused in one more case, as detailed in paragraph-3 to this application, due to that reason, the police falsely implicated them in this case, showing the confessional statement of the apprehended accused Om Prakash Pandey.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Special Judge (Excise),



Kaimur at Bhabua, in connection with Chainpur P.S. Case
No.350 of 2019, subject to the conditions laid down under
Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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