

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76349 of 2019

Arising Out of PS. Case No.-248 Year-2019 Thana- KHARIK District- Bhagalpur

RAJNITI SINGH @ RAJNITI PRASAD SINGH, aged about 49 years, Male,
S/O Sitaram Singh, Resident of Village- Telghi, P.S.- Kharik, District-
Bhagalpur ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Rajesh Kumar, Adv.
For the Opposite Party : Mr. Veena Rani Prasad, APP

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

ORAL ORDER

2 07-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Khanrik P.S. Case No. 248 of 2019, registered under Sections
30(A) and 38(1) of the Bihar Excise Prohibition Amendment
Act, 2018.

The accusation is that on receiving secret information
about unloading of cartons of the liquor at the Basa of Rajniti
Singh (petitioner) in village Telghi, the informant, along with
other police personnel proceeded at about 02.00 a.m. on
01.10.2019. On seeing the police party, the persons indulged in
unloading the cartons of liquor succeeded to flee away taking
the advantage of darkness. On search of vehicle, (1) 13 cartons,
containing 156 bottles, each containing 750 ml, (2) 18 cartons,
containing 864 bottles, each containing 180 ml, (3) 22 cartons,



containing 528 bottles, each containing 375 ml, (4) 26 cartons, containing 312 bottles, each containing 750 ml, (5) 29 cartons, containing 696 bottles, each containing 375 ml and (6) 24 cartons, containing 1150 bottles, each containing 180 ml of Indian made foreign liquor recovered. On search, Basa owner Sita Ram Singh was not traced out. Informant disclosed the name of Rajniti Singh (petitioner) and eight others indulged in the business of illicit liquor.

Submission is that it would appear from the first information report that the petitioner, who had no criminal antecedent, was not apprehended on spot. The petitioner is son of Sita Ram Singh. Further, submission is that Mithai Singh, another son of Sita Ram Singh, is allowed the privilege of pre-arrest bail on 09.12.2019 in Cr. Misc. No. 80611 of 2019 by a coordinate Bench of this Court.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Khanrik P.S. Case No. 248 of 2019 shall be released 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 Additional Sessions Judge II-cum-Special



Judge, Excise Act, Bhagalpur, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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