

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 84241 of 2019**

Arising Out of PS. Case No.-483 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

Mikku Kumar @ Mikku, aged about 21 years, male, Son of Ram Shankar
Singh Resident of Village- Machaha, P.S.- Muffasil, Dist- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Anil Prasad Singh

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 17-02-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Muffasil
(Singhaul) P.S. Case No. 483 of 2019 registered for the offence
under Sections 414, 120(B) of the Indian Penal Code and
Section 30(a) of Bihar Prohibition and Excise (Amendment)
Act, 2018.

Prosecution case is that 3461.04 liters of illicit
liquor have been recovered from a container parked by the side
of road near village Dumri and petitioner's name has come on
the confession of co-accused.

It is submitted on behalf of petitioner that petitioner
has falsely been implicated in this case and nothing has been
recovered from his conscious possession. In fact, petitioner has
nothing to do with the aforesaid recovery. It is further submitted
that with regard to search and seizure, Section 100 of Cr.P.C.
has not been followed. It is also submitted that similarly situated



co-accused namely Pappu Singh @ Krishna Mohan Singh @ Sardar has already been extended the privilege of anticipatory bail by this Court, vide order dated 16-11-2019 passed in Cr.Misc. No. 70816 of 2019.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Raj Kishore Rai, learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Begusarai Muffasil (Singhaul) P.S. Case No. 483 of 2019 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

anay

U		T	
---	--	---	--

