

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11909 of 2021**

Arising Out of PS. Case No.-109 Year-2020 Thana- TATARPUR District- Bhagalpur

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MUNNA SINGH @ DEEPAK KISHORE Son of Bal Kishore Singh Resident
of Nandlal Mishra Gali, Surkhikal, P.S.- Barari, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Choudhary, Advocate
For the Opposite Party/s : Mrs. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks from the date of restoration of normalcy.

The petitioner is apprehending his arrest in connection
with Tatarpur P.S. case No.109 of 2020 registered under
Sections 269, 270, 188, 420/34 of I.P.C. and Section 11 of
Bengal Public Gambling Act, 1867 and Section 3 of Epidemic
Diseases Act and 51(B) of N.D.M. Act and 37(C) of Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in short, is that a raid was
conducted at the Hotel by the police and the police found that
some persons were playing cards and empty bottles of liquor



was recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. The petitioner is alleged to be the owner of the Hotel in question, where some of the persons were found playing cards and they were found in drunken state. There is no recovery of liquor from the conscious possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge, Excise, Bhagalpur in connection with Tatarpur P.S. case No.109/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight



weeks to the satisfaction of the court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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