

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19600 of 2021

Arising Out of PS. Case No.-118 Year-2020 Thana- SASARAM MUFFSIL District- Rohtas

1. VIKASH KUMAR, S/o Late Ram Pravesh Singh, Resident of Village- Indrahiya, Police Station- Sasaram (M), District- Rohtas
2. Chitranjan Singh @ Chitranjan Kumar Singh, S/o Kapildeo Singh, Resident of Village- Indrahiya, Police Station- Sasaram (M), District- Rohtas
3. Guddu Kumar Singh @ Guddu Kumar, S/o Kuldeo Singh, Resident of Village- Indrahiya, Police Station- Sasaram (M), District- Rohtas
4. Jitendra Kumar Singh, S/o Naresh Singh, Resident of Village- Indrahiya, Police Station- Sasaram (M), District- Rohtas ... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Dhaneshwar Prasad Gupta, Adv.

For the Opposite Party : Mr. A.M.P. Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 24-03-2021 As prayed for, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide it's note, dated 10.03.2021, within four weeks of starting of the Court proceeding in physical mode properly.

Heard the parties through video conferencing.

The learned counsel appearing for the petitioners 2 and 4, namely, Chitranjan Singh @ Chitranjan Kumar and Jitendra Kumar Singh, seeks permission to withdraw this application, as the petitioners, during the pendency of this application, have been taken into custody.

Prayer is allowed.

Accordingly, this application stands **dismissed as**



withdrawn with regard to petitioners 2 and 4, namely, Chitranjan Singh @ Chitranjan Kumar and Jitendra Kumar Singh.

Heard learned counsel for the petitioners 1 and 3, namely, Vikash Kumar and Guddu Kumar Singh @ Guddu Kumar, and learned Additional Public Prosecutor for the state.

The petitioners 1 and 3 seek pre-arrest bail in connection with Sasaram (M) P.S. Case No. 118 of 2020, registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

On receiving the secret information about preparation of liquor in village Indriya, the informant along with other police personnel reached there. On seeing the police party, some persons started to flee away while they were chased, but, succeeded in fleeing away. At that time, local Chowkidar identified five persons, including the petitioners 1 and 3, namely, Vikash Kumar and Guddu Kumar Singh @ Guddu Kumar. On search from the furnace of petitioner no. 1 (Vikash Kumar) gas cylinder and five liters country made liquor in polythene, from the furnace of Guddu Kumar Singh @ Guddu Kumar (petitioner no. 3) one gas cylinder and five liters country made liquor in polythene recovered whereas from three other



furnaces gas cylinder and liquors were recovered.

Submission is that since the petitioner 1 (Vikash Kumar) and petitioner no. 3 (Guddu Kumar Singh @ Guddu Kumar) are accused in Sasaram (M) P.S. Case No. 190 of 2020, in similar nature of case, due to that reason police implicated the petitioners showing their names in the first information report on pretext that both were identified by the local Chowkidar.

Having regard to the facts and circumstances of the case, let the petitioner 1 (Vikash Kumar) and petitioner no. 3 (Guddu Kumar Singh @ Guddu Kumar) in the event of surrender/arrest, within a period of four weeks from today, in connection with Sasaram (M) P.S. Case No. 118 of 2020 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional District & Sessions Judge II-cum-Special Judge, Excise, Rohtas at Sasaram, 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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