

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8446 of 2020

Arising Out of PS. Case No.-267 Year-2019 Thana- EKMA District- Saran

1. JITENDRA SINGH Son of Late Nageshwar Singh Resident of Village - Rawal Tola, P.S.- Chpra Town, Dist.- Saran.
2. Bajrangi Singh Son of Raju Singh Resident of Village - Rawal Tola, P.S.- Chpra Town, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 04-10-2021 At the outset, learned counsel for the petitioners

submits that petitioner no. 1 namely, Jitendra Singh, has been arrested during pendency of this application, and as such, he seeks permission to withdraw this application as against petitioner no. 1.

Permission is granted.

The application, thus, stands dismissed as withdrawn as against petitioner no. 1.

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner apprehends arrest in connection with Ekma P.S. Case No. 267 of 2019 registered for the offence punishable under sections 467, 468, 120B of the Indian Penal Code and section 30(a) of the Bihar Prohibition



and Excise Act.

Learned counsel appearing for the petitioner submits that petitioner has been falsely implicated in this case merely on the statement of the co-accused. Nothing has been recovered from the conscious possession of this petitioner. The alleged recovery is said to have been made from a container having Registration No. UP85X-9455 which does not belong to this petitioner. Petitioner is a man of clean antecedent.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let petitioner no.2, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing of his personal bond to the satisfaction of 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran in connection with Ekma P.S. Case No. 267 of 2019 subject to the conditions laid down under section 438(2) Cr.P.C.

(Arvind Srivastava, J)

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