

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28047 of 2021

Arising Out of PS. Case No.-182 Year-2019 Thana- NAUTAN District- Siwan

BRIJ KISHORE SINGH Son of Dhrup Singh Resident of Village- Kararua,
P.S.- Siwan Muffasil, District- Siwan. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr. Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 14-06-2021

Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a), 41(1) of the Bihar Prohibition & Excise Act.

Allegation is recovery of 18 litres country-made liquor from a motorcycle upon which two persons were sitting and they were apprehended and they disclosed that the said motorcycle belongs to Brij Kishore Singh (petitioner) who is his elder brother and resides in Jharkhand.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. It is further submitted that petitioner was neither present at the place of occurrence nor anything was recovered from his conscious possession. Petitioner never used said motorcycle and same was kept by his apprehend brother. Petitioner has no

criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Nautan P.S. Case No.182/19 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

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

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the

trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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