

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23571 of 2020

Arising Out of PS. Case No.-57 Year-2020 Thana- SARAIYA District- Muzaffarpur

RAHUL @ SIRGUN @ RAHUL TIRGUN KUMAR S/o Mangal Singh
Resident of Village- Rewa, P.S.- Saraiya, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Ms.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 08-01-2021 Heard learned counsel for the petitioner and Ms.
Gulnar Begum , learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Saraiya P.S. Case No.57 of 2020 registered for the offences punishable under Sections 272/273/120(B) of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that as per the First Information Report police conducted a raid in the orchard of one Paras Singh from where three persons allegedly fled away and one of them is said to be this petitioner. Learned counsel submits that the petitioner has been falsely implicated in this case and in course of investigation no witness has come forward to support the allegation that this petitioner was present



at the place of occurrence and had fled away.

Learned APP for the State submits that in course of investigation no witness has stated that he had seen the petitioner fleeing away from the alleged place. This Court has also been informed that the petitioner has no criminal antecedent.

In the given facts and circumstances of the case, there being no prima-facie material to connect the petitioner in the alleged occurrence at this stage, let the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with Saraiya P.S. Case No.57 of 2020 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade



him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

