

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35028 of 2020

Arising Out of PS. Case No.-90 Year-2020 Thana- CHAKIA District- East Champaran

1. AKASH SINGH S/o Subba Kunwar R/o village- Narkatia, P.S.- Chakia,
District- East Champaran
2. VIKASH SINGH S/o Subba Kunwar R/o village- Narkatia, P.S.- Chakia,
District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 18-03-2021 Heard both sides.

Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition filed on behalf of Akash Singh (petitioner no.1) as Akash Singh has already been arrested.

Prayer is allowed.

The anticipatory bail petition filed on behalf of Akash Singh (petitioner no.1) is dismissed as withdrawn.

Petitioner No.2, namely, Vikash Singh apprehends his arrest in Chakia P.S. Case No.90 of 2020 registered under Section 30(a) of the Bihar Prohibition and Excise Act.

The informant after having received secret



information that a huge quantity of liquor is concealed in the field of Jai Kishore Thakur went to the field and recovered 209 bottles each containing 180 ml liquor and 10 bottles each containing 375 ml liquor. Altogether 41.37 litres of liquor was recovered. The informant came to know from the villagers that the liquor trader Akash Singh (petitioner no.1) and Vikash Singh (petitioner no.2) had concealed the liquor.

Learned counsel for the petitioner submits that nobody has seen the petitioner concealing the liquor in the field of Jai Kishore Thakur.

Having considered the facts that the name of the petitioner surfaced in the F.I.R. itself on the basis of secret information revived by the informant but no tangible evidence is collected and nothing has been recovered from possession of the petitioner and the fact that recovery is made from the open field of Jai Kishore Thakur, petitioner no.2, namely, Vikash Singh in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 9th Additional Sessions Judge-cum-



Special Judge (Excise), East Champaran, Motihari in connection with Chakia P.S. Case No.90 of 2020, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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