

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37829 of 2020

Arising Out of PS. Case No.-90 Year-2020 Thana- MALI District- Aurangabad

-
1. RANJAY SINGH, SON OF SARYU SINGH, RESIDENT OF VILLAGE - PADARIYA, P.S. - MALI, DISTRICT - AURANGABAD
 2. MITHUN SINGH, SON OF SARYU SINGH, RESIDENT OF VILLAGE - PADARIYA, P.S. - MALI, DISTRICT - AURANGABAD
 3. ABHIMAN SINGH @ ABHIMAN KUMAR, SON OF SANJAY SINGH, RESIDENT OF VILLAGE - PADARIYA, P.S. - MALI, DISTRICT - AURANGABAD
 4. SANOJ SINGH, SON OF KEDAR SINGH, RESIDENT OF VILLAGE - PADARIYA, P.S. - MALI, DISTRICT - AURANGABAD

... Petitioners

Versus

STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Shailesh Kumar Singh, Adv.
For the Opposite Party : Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-07-2021 As prayed for, through video conferencing, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide it's note, dated 19.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard the parties through video conferencing.

The learned counsel for the petitioners seeks permission to withdraw this application on behalf of petitioner no. 1 (Ranjay Singh) and petitioner no. 3 (Abhiman Singh @ Abhiman Kumar), as both the petitioners, during the pendency of this application, have been taken into custody.

Prayer is allowed.

Accordingly, it stands **dismissed as withdrawn** on behalf of petitioner no. 1 (Ranjay Singh) and petitioner no. 3



(Abhiman Singh @ Abhiman Kumar).

The petitioner no. 2 (Mihun Singh) and petitioner no. 4 (Sanoj Singh) seek pre-arrest bail in connection with Mali P.S. Case No. 90 of 2020, registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018

On receiving secret information about selling the liquor by Ranjay Singh in village Padariya, the informant, along with other police personnel, reached there at the house of Ranjay Singh. Ranjay Singh was not there and his father, Saryu Singh, informed that Ranjay Singh may be found at dam where the new house is being constructed, thereafter, the informant, along with other police personnel, reached there, but, on search, nothing was recovered from there. In course of returning when the informant reached near Hanuman Temple, then, Ranjay Singh, Mithun Singh (petitioner no. 2), Abhiman Singh Sanoj Singh, Amarjeet Singh, Raushan Singh and Prince Kumar along with eight unknown persons started pelting stones and brick at the police party in which police party sustained injury. On reaching the other police force they fled away leaving the Platina motorcycle, bearing registration no. BR-02R-5562, and on search of motorcycle 15 bottles, each containing 300 ml Indian made foreign liquor recovered.



Submission is that petitioner no. 2 (Mithun Singh) and petitioner no. 4 (Sanoj Singh) have no criminal antecedent and due to dirty village politics both have been implicated in this case. Further, submission is that both the petitioners are not the owners of the seized motorcycle and it is not detailed that how the informant and other police personnel identified the petitioners 2 and 4 on spot.

Having regard to the facts and circumstances of the case, let petitioner no. 2 (Mithun Singh) and petitioner no. 4 (Sanoj Singh), in the event of arrest/surrender, within a period of four weeks from today, in connection with Mali P.S. Case No. 90 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 VII-cum-Special Judge, Excise, Aurangabad, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

U		T	
---	--	---	--

