

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40479 of 2020

Arising Out of PS. Case No.-115 Year-2020 Thana- ASANWA District- Siwan

RAJAN KUMAR SINGH @ RAJAN SINGH Son of Satyendra Singh
Resident of Village- Kandhpakar, P.S. Asaon, District- Siwan.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Syed Ehteshamuddin

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 23-07-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 26.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection with Asaon P.S. Case no. 115 of 2020, registered under Sections 272, 273 and 308 of the Indian Penal Code and Section 30(A), 38 and 41(1) of the Bihar Prohibition and Excise Act.

The accusation is that in course of patrolling duty informant received information to the effect that in village- Kandhpakar, Priyanshu Singh @ Rishu Singh and Rajan



Kumar Singh (Petitioner), both sons of Satyendra Singh, have kept huge quantity of liquor in their house. The informant and other Police personnel reached at village-Kandhpakar at the door of Priyanshu Singh @ Rishu Singh and Rajan Kumar Singh (Petitioner). On seeing the Police vehicle, two persons started fleeing from the house, but, on chase, one person was apprehended, who disclosed his name Priyanshu Singh and he also disclosed the name of Rajan Kumar Singh (Petitioner), who managed to escape. In course of search of double storied building, 60 pouches, each containing 500 ML, 30 bottles, each containing 180 ML and 08 bottles, each containing 500 ML Indian Made Foreign Liquor recovered from the room situated in northern side at ground floor.

Learned counsel for the petitioner submits that, in fact, co-accused Priyanshu Singh is own brother of petitioner and both are residing, separately, in joint house. The petitioner is residing at first floor, whereas, co-accused Priyanshu Singh used to reside in ground floor from where the alleged liquor is said to be recovered. The petitioner has falsely been implicated in this case mere on suspicion due to brother of co-accused Priyanshu Singh. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the



case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II-cum-Special Judge, Excise, Siwan in connection with Asaon P.S. Case No. 115 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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