

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40864 of 2020

Arising Out of PS. Case No.-37 Year-2020 Thana- SURYAGARHA District- Lakhisarai

MURARI SINGH S/o Ram Chandra Singh @ Chano Singh Resident of
Salaunachak, P.S.- Lakhisarai, District- Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-12-2021 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects within four weeks. In the eventuality of non-removal of defects within the stipulated period, office will place the matter before the Bench.

Petitioner apprehends his arrest in connection with a case registered for the offence punishable u/s 30(a)/ 41 of the Bihar Prohibition and Excise Amendment Act, 2018.

Huge quantity of illicit liquor is said to have been recovered from a truck, pick up van and a scorpio vehicle and nine persons were apprehended on the spot by the police. It is alleged that apprehended co-accused disclosed that the petitioner has transported wine through pickup van at boring of Pawan Paswan and on such disclosure, 1296.180 liters of



India made foreign liquor was recovered from the boring house of Pawan Paswan.

Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. Petitioner has been falsely implicated in this case due to dirty village politics. Petitioner has not been apprehended on the spot rather his name transpired in this case on the basis of confessional statement of the apprehended co-accused. No incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized liquor or any trade of liquor. Several co-accused have been granted bail by different benches of this court including the co-accused Haro Kumar, who disclosed the name of petitioner, vide Cr. Misc. No.22285 of 2020 dated 25.08.2020. Petitioner has no criminal antecedent, as also mentioned in para-3 of the anticipatory bail application.

Petitioner is agreed to deposit a sum of Rs. 40,000.00/- (Rupees Forty Thousand) in the Patna High Court Legal Services Committee, Patna bearing Account No.1413010060836, IFSC PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Considering the aforesaid facts and circumstances, let



the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Surajgarha P.S. Case No.37 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions.

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of



Rs.40,000.00/- (Rupees Forty Thousand) in the Patna High
Court Legal Services Committee.

(Anjani Kumar Sharan, J)

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