

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13786 of 2021

Arising Out of PS. Case No.-229 Year-2020 Thana- TARARI District- Bhojpur

1. Tuntun Singh S/O Jainath Singh R/O Village-Karath, P.S-Tarari, District-Bhojpur.
2. Munar Singh S/O Jainath Singh R/O Village-Karath, P.S-Tarari, District-Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 24-01-2022 Heard learned counsels for the petitioners and
the State.

Petitioners apprehend arrest in connection with Tarari P.S. Case No. 229 of 2020 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel appearing for the petitioners submits that petitioners have been falsely implicated in this case. Nothing has been recovered from the conscious possession of these petitioners. Petitioners have no criminal antecedent.

Learned Addl. P.P. appearing for the State

submits that the alleged recovery has been made from the motorcycle which belong to petitioner no. 1.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner no. 2, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing of his personal bond to the satisfaction of Additional Sessions Judge IV-cum-Special Judge, Excise Bhojpur, Ara in connection with Excise Tarari P.S. Case No. 229 of 2020 subject to the conditions laid down under section 438(2) Cr.P.C.

As regards petitioner no. 1, considering the fact that he is the owner of the motorcycle in question from which alleged recovery has been made, this Court is not inclined to grant him the privilege of anticipatory bail. His prayer for bail is, accordingly, rejected.

(Arvind Srivastava, J)

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