

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23001 of 2021**

Arising Out of PS. Case No.-167 Year-2020 Thana- SIKARHATTA District- Bhojpur

BIJENDRA SINGH S/o Kedar Singh R/o village- Sikarhatta Kala Bharosi
Tola, P.S.- Sikarhatta, District- Bhaojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 04-01-2022 This matter has been taken up for hearing online
because of COVID – 19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects, as pointed out by
the office, when called upon to do so by the office.

The petitioner is apprehending his arrest in connection
with Sikarhatta P.S. Case No. 167 of 2020 for the offence
registered under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

The prosecution case in brief is that 50 liters of
Mahua Liquor was recovered from the Tempo.

Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in the present case. It is further submitted that name of the petitioner came into light on the basis of the confession statement of co-accused namely, Kundan Kumar, who is the driver of the Tempo, made before the police which has no evidentiary value. It is further submitted that no incriminating mahua liquor was recovered from the conscious and constructive possession of the petitioner. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of their arrest/surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned ivth Additional District & Sessions Judge, Bhojpur at Ara in connection with Sikarhatta P.S. Case 167 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Sunil Kumar Panwar, J)

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