

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27332 of 2021

Arising Out of PS. Case No.-112 Year-2020 Thana- NIMACHANDPURA District- Begusarai

BITTU SINGH S/o Munna Singh @ Rajiv Kumar Choudhary Resident of
Mohalla- Hall of Alka Cinema, at present of Purvi Kapasya Chouk, P.S.-
Begusarai Town, District- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-02-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defect(s) as pointed out by the office when called upon to do so by the office.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

It is a case of recovery of about 2898.81 liters of English wine.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that the name of the petitioner transpired from the confessional statement of apprehended co-accused, namely,



Ranveer Kumar. He further submits that there is no recovery from the conscious or constructive possession of the petitioner. He further submits that similarly situated co-accused, namely, Krishna Kumar @ Dhanna has already been granted anticipatory bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 20037 of 2021 vide order dated 03.08.2021 and the case of this petitioner stands on similar footing.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, let the petitioner, above named in the event of his arrest or 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) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Begusarai in connection with Nimachandpur P.S. Case No. 112 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

brajesh kumar/-

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(Sunil Kumar Panwar, J)

