

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28175 of 2021

Arising Out of PS. Case No.-325 Year-2020 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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TINKU @ RAHUL SINGH S/O RAM BADAN SINGH R/O VILLAGE
POKHARIYA PIR, PARAW POKHAR, P.S-KAZI MOHAMMADPUR,
DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhry, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-02-2022 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 Sections 414/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is a case of recovery about 119.100 liters of foreign liquor which was seized from the two vehicles.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that there is no recovery from the conscious or constructive possession of the petitioner and he has no concern



with the seized vehicles. He further submits that the petitioner was not apprehended at the spot. He further submits that similarly situated co-accused persons have already been granted anticipatory bail by a Bench of this Court passed in Cr. Misc. No.27157 of 2021 vide order dated 29.01.2022 and the case of this petitioner stands on similar footing. He further submits that petitioner has clean antecedent.

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, Muzaffarpur in connection with Mohammadpur P.S. Case No. 325 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

brajesh kumar/-

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