

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55156 of 2022

Arising Out of PS. Case No.-94 Year-2019 Thana- BARACHATTI District- Gaya

RAJDEEP SINGH @ RAJDEEP Son of Umesh Singh R/o Village - Kulharia,
P.S.- Buxar Muffasil, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohit Shriwastava

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Barahchatti P.S. Case no. 94 of 2019 instituted for the offence under Sections 30(a), 38, 47 and 16 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 447.880 liters illicit of different brands from a Pickup van bearing Registration No. UP-65AR/1976.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Petitioner is not the owner of said vehicle and he has no concern with the alleged recovery of illicit liquor or with the place of occurrence.



It is further submitted vide para 6 of the petition that the petitioner was under heart treatment in Fortis Escorts Hospital, New Delhi from 2019 and still he is undergoing treatment at Apex Hospital Varanasi. The name of the petitioner has been disclosed in this case by the apprehended co-accused person. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Barachatti P.S. Case no. 94 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Judge, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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