

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7767 of 2023

Arising Out of PS. Case No.-377 Year-2022 Thana- KESARIA District- East Champaran

Rupesh Kumar Singh @ Vikash Singh @ Vikash Kumar Singh Son of
Bachcha Singh Resident of village - Dilabarpur, P.S.- Keshariya, Dist.- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 18-05-2023 Heard the learned counsel for the
petitioner and learned APP for the State.

This is an application for grant of
anticipatory bail in connection with Keshariya P.S.
Case No.377 of 2022, registered for offences under
Sections 414, 467, 468, 471/34 of the IPC.

It is the case of the prosecution that on
28.07.2022, a constable had left the police station
on a Government vehicle for patrolling and in



between, he received a secret information that the petitioner is coming on a pick-up van, bearing wrong registration number and he is engaged in the trade of illicit liquor, whereupon the said constable along with police force had reached at the alleged place of occurrence and they saw that a pick-up van was parked 100 metres on the side of the road and two persons, on seeing the police force, had alighted from the said vehicle and fled away. It is also alleged that on inspection of the pick-up van, it was found that engine number had been scraped by a sharp object.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in one another case, but he is on bail in the said case. It also submitted by referring to paragraph no.8 of the present petition that the petitioner is not having any connection with the said pick-up van and moreover, no illicit liquor has been recovered



from the said van.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the categorical averments of the petitioner to the effect that the pick-up van does not belong to the petitioner, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Motihari, East Champaran in connection with Keshariya P.S. Case No.377 of 2022, subject to the conditions as



laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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