

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 9257 of 2023

Arising Out of PS. Case No.-207 Year-2022 Thana- CHACKMEHSI District- Samastipur

KRISHNA SINGH @ KRISHNA KUMAR SINGH S/O MAHESH PRASAD
Resident of Village- Sahuri, P.S.- Chakmahesi, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Kanhaiya Kishore (App.100)

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 21-03-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends arrest in connection with
Chakmahesi P.S. Case No. 207 of 2022 registered for the
offences under Section 30(a), 32(ii) and 41(i)(ii) of the Bihar
Prohibition Excise (Amendment) Act.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
instant case due to ill motive of the informant. Further
submission is that petitioner's name has been transpired only on
the basis of confessional statement of a co-accused namely
Nand Kishore Sahni. It is also submitted that the petitioner is
neither the owner nor the driver of the alleged vehicle i.e Tata
Yodha Pickup bearing registration no. BR33G-8502 from which



the alleged recovery has been made as per para 2 of the supplementary affidavit. Further, petitioner has no criminal antecedent and nothing has been recovered from the conscious possession of the petitioner.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, the petitioner, above named is directed to be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of Special Judge Excise Court No. I, Samastipur in connection with Chakmahesi P.S. Case No. 207 of 2022, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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