

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17126 of 2023

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

Kanhaiya Singh @ Kanhaiya Kumar Son of Late Kapildev Singh R/o Village
- Harraikh, Ward No.- 12, P.S.- Nagar, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 24-04-2023 1. Let the defects, if any, pointed out by the office be removed within four weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.
2. Heard learned counsel for the petitioner and the learned APP for the State.
3. Petitioner seeks regular bail in connection with Neemachandpura P.S. Case No. 112 of 2020 dated 18.12.2020 registered for the offences punishable under Sections 420 and 120(B) of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.
4. The main submissions advanced by learned counsel for petitioner are that the FIR itself goes to show that the petitioner was in judicial custody in connection with another criminal case when the alleged recovery was made and the said fact was

revealed by the apprehended co-accused Ranveer Kumar and according to his statement a motorcycle, which was seized at the spot, is in the name of this petitioner but as per the statement of said apprehended co-accused the petitioner was not involved in the smuggling of alleged seized wine and he has been made accused merely on the basis of being registered owner of the said seized motorcycle, though against the petitioner there are criminal antecedents of six cases but he has got bail in five cases. It is further submitted that the petitioner's son is suffering from serious disease of kidney and in this regard sufficient documents were filed before this bench while mentioning the petitioner's case and his son is under treatment at IGIMS, Patna.

5. Learned APP for the State has opposed the bail prayer of the petitioner.

6. Considering the above submissions made by learned counsel for the petitioner, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Neemachandpura P.S. Case No. 112 of 2020.

(Shailendra Singh, J)

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