

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63158 of 2023

Arising Out of PS. Case No.-246 Year-2020 Thana- DAGARUA District- Purnia

BINOD KUMAR SINGH Son of Late Maheshwar Singh R/o vill - Navdiha
Near Shiv Mandir Saidpur, ward no. 12, Rahimpur, P.S. - Saidpur, Distt. -
saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Samarjeet Singh, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Dagarua P.S. Case No. 246 of 2020 instituted under
Sections 272, 273 of the Indian Penal Code and Section 30 (a)
of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 1267.125 litres of
illicit foreign liquor was recovered from the Tata 407 vehicle
near Barsouni Toll Plaza.

4. Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R., he has falsely been
implicated in this case due to four criminal antecedents and on
the basis of confessional statement of co-accused Arun



Choudhary @ Arun Jaishwal. There is no recovery from the conscious possession of the petitioner. He further submits that petitioner has no concern with seized Tata 407 vehicle and except the confessional statement of the co-accused, there is no material found against the petitioner.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Judge Excise Court No. - 1, Purnia in connection with Dagarua P.S. Case No. 246 of 2020, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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