

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71231 of 2022

Arising Out of PS. Case No.-201 Year-2018 Thana- HALSI District- Lakhisarai

Yuvraj Singh @ Rajnarayan Singh Son Of Late Siyaram Singh @ Late Siya Singh R/O Village- Halasi, P.S.- Halasi, District- Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioner and learned APP
for the State.

This is the second anticipatory bail application filed on behalf of the petitioner, in connection with Halsi P.S. case No.201/18, pending in the court of Additional District & Sessions Judge 4th-cum-Special Excise Court 1st, Lakhisarai.

The earlier application for anticipatory bail was rejected vide Annexure 1 to the present application.

On behalf of the petitioner, it has been submitted that the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this case. The name of the petitioner has transpired in this case on disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 2098 liters



wine is recovered from the truck. The truck in question does not belong to the petitioner. The petitioner had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 Cr.P.C. Learned counsel for the petitioner has placed reliance upon the order dated 13-04-2022 passed by the Hon'ble Supreme Court in Cr. Appeal No. 626 of 2022 (Sweta Kumari versus State of Bihar) and submitted that the anticipatory bail is maintainable in the light of the judgment as rendered in the above referred case.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the fact that the earlier application for anticipatory bail was rejected, the petitioner is directed to appear before the court below and pray for regular bail. If the petitioner appears before the court below, the court below shall consider the same and pass an appropriate order in accordance with law and disposed of the same preferably on the same day.

Accordingly, the present application for anticipatory bail stands disposed of.

(Sudhir Singh, J)

Narendra/-

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