

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72902 of 2022

Arising Out of PS. Case No.-364 Year-2022 Thana- SAHPUR District- Bhojpur

1. LAVKUSH SINGH S/o Parmatma Singh R/v- Ishwarpura, P.S.- Shahpur (Karnamepur O.P.), District- Bhojpur
2. MANISH SINGH @ MANISH KUMAR S/o vishnudeo Singh R/v- Ishwarpura, P.S.- Shahpur (Karnamepur O.P.), District- Bhojpur
3. KUSH SINGH S/o Sri Bhagwan Singh @ Bhagwan Singh R/v- Ishwarpura, P.S.- Shahpur (Karnamepur O.P.), District- Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Pandey Adv
For the Opposite Party/s : Mr.Rana Randhir Singh APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 11-01-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act of the Indian Penal Code.

Learned counsel for the petitioner submitted that petitioner no. 2 Manish Singh has already arrested. Accordingly, the bail application is dismissed as infructuous.



As per prosecution case, on seeing the police five accused persons started fleeing away but two accused person were apprehended by the police and rest three accused persons managed to escape from there. On being asked, the apprehended persons disclosed their names as Ritik Singh @ Munna Singh and Parmatma Singh and also disclosed the names who fled away as Lavkush Singh, Manish Singh, and Kush Singh. On search total 751 litres Bird Rare Whiskey was recovered which was tied with the four motorcycles.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The name of the petitioner has surfaced on the basis of disclosure of the co-accused. No incriminating material has been recovered from the petitioners Lavkush Singh and Kush Singh. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees



Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhojpur in connection with Sahpur P.S. Case No 364 of 2022, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This application stands allowed.

(Chandra Prakash Singh, J)

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