

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22802 of 2024

Arising Out of PS. Case No.-130 Year-2023 Thana- KARPURIGRAM District- Samastipur

Rajeev Kumar Singh @ Chotu Singh S/o- Awadhesh Singh @ Awadhesh Kumar Singh @ Avadhesh Kumar Singh Village- Shambhupatti Ps- Karpurigram Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-04-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a), 32, 36 and 41 of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of seven cases and allegation is of recovery of 1666.80 litres of liquor from different vehicles as detailed in the FIR.

4. Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and is not the owner of any of the seized vehicles. It is next submitted that he came to be implicated at the instance of Chowkidar with whom he is on an inimical term. It is also submitted that in majority of the cases, the police, in a mechanical manner, is implicating the accused persons



through Chowkidar. It is also submitted that if Chowkidar was aware of the involvement of the petitioner in the occurrence then why he did not inform the police prior to institution of the instant FIR which further casts aspersion on the case of the prosecution. It is also submitted that it appears that the police, in order to save the real culprit, falsely implicated the petitioner taking advantage of his antecedents.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 35,000/- (Rupees Thirty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Karpurigram P.S. Case No. 130 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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