

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22003 of 2024

Arising Out of PS. Case No.-85 Year-2020 Thana- DHAKA District- East Champaran

Sajan Singh Son Of Ram Ekbal Singh Resident Of Village - Bada Shital Patti,
P.S. - Chiraiya, District - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the state.

2. The petitioner apprehends his arrest in connection with Dhaka (Pachpakri) P.S Case No. 85 of 2020 registered for the offence punishable under Section 30(a), of the Bihar Prohibition & Excise Amendment Act.

3. As per the prosecution case, 1.5 litres of foreign liquor was recovered from the Scorpio and 144 litres of Nepali country made liquor was recovered from the Wagon R vehicle.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. The name of the petitioner was sprung up on the basis of confessional statement of the apprehended co-accused persons Raja



Babu. No incriminating article has been recovered from the conscious possession of the petitioner. It is submitted that the petitioner is neither the owner nor the driver of the said vehicle. There is no compliance of Section 100 of the Cr.P.C. The petitioner has clean antecedent.

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the parties, in the event of his arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs, 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-I, East Champara, Motihari / concerned court in connection with Dhaka (Pachpakri) P.S. Case No. 85 of 2020 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Chandra Prakash Singh, J)

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