

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49121 of 2024

Arising Out of PS. Case No.-505 Year-2023 Thana- JOKIHAT District- Araria

Sudev Singh @ Sudebh Singh @ Pawani Singh @ Pabhani Singh Son of
Ramdev Singh Resident of Vill- Sarsi, Ward No.10, P.S.- Sarsi, District-
Purnia-854206.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivesh Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in Jokihat
P.S. case No. 505 of 2023 registered under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution allegation, in short, is that the 87.3
liters liquor was recovered from the tempo.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no criminal antecedent. No
incriminating material has been recovered from the conscious
possession of the petitioner. The name of the petitioner has
transpired on the basis of confessional statement of co-accused



namely Kundan Kumar. It is further submitted that the petitioner is neither driver nor owner of the tempo in question. The petitioner has got no knowledge and concern with the alleged recovery of liquor. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. He submits that the petitioner is named in the F.I.R.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Jokihat P.S. case No. 505 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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