

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75521 of 2024

Arising Out of PS. Case No.-585 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

Sintu Singh @ Shivshankar Singh @ Situ Singh S/O Bagedar Singh @
Santosh Singh R/o Village- Larma, P.S- Durgawati, Distt.- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 22-11-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Excise P.S.(Bhabhua) Case No. 585 of 2024 for the offence under Sections 30(a), 32(1)&(3), 41(1)&(2) of the Bihar Prohibition and Excise Act-2018 lodged on 15.07.2024 by the informant, Rakesh Kumar.

3. As per the prosecution story, the informant alleged that on the basis of secret information, he stopped a CNG Bajaj Auto and upon search of the said vehicle, total 99 litre of foreign made liquor has been recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that nothing has been recovered from the conscious possession of the petitioner, his name has come in



this case on the confessional statement made by the co-accused Mukesh Bind before the Police and the antecedent of the petitioner is clean.

5. Learned APP vehemently opposes the prayer for bail.

6. From perusal of the entire facts of the case it transpires that nothing incriminating has been recovered from the conscious possession of the petitioner and he has falsely been implicated in this case as his name appeared in this case only on the basis of confessional statement of the co-accused made before the Police. Keeping in view the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge (Excise) II, Kaimur at Bhabua, in connection with Excise P.S.(Bhabhua) Case No. 585 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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