

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83114 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- Dhobaha District- Bhojpur

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1. Baljeet Singh Son of Late Satrugan Singh Resident of Village -Hemantpur,
Police Station -Dhobaha, District -Bhojpur
 2. Samir Singh Son of Late Umesh Singh Resident of Village -Hemantpur,
Police Station -Dhobaha, District -Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Singh
For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioners and Mr.
Pronoti Singh, learned APP for the State.

2. The instant application for anticipatory bail have been filed by the petitioners apprehending their arrest in connection with Dhobaha P.S. Case No. 70 of 2024, registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that police received the information that the petitioners have kept liquor in a *Xylo* Car. When the police reached there, they found that two persons were sitting in the *Xylo* Car, they flee away seeing the police and when the *Xylo* Car was searched altogether 180 liter of



foreign liquor was recovered from the vehicle.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have committed no offence. Petitioners have falsely been implicated in this case. During course of argument, learned counsel of petitioners have submitted that petitioner no.1 Baljeet Singh is the owner of the vehicle whereas petitioner no.2 Samir Singh is his friend. There is no criminal antecedent of petitioner no. 2.

5. In contra, learned APP appearing for the State opposes the prayer of bail of the petitioners and submitted that Petitioner no. 1 is having criminal antecedent of 2 cases of similar nature and he is the owner of the said vehicle from where the recovery of illicit liquor has been made.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the **petitioner no. 2, namely, Samir Singh on bail**. The petitioner no. 2 is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Dhobaha P.S. Case No. 70 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of



learned Exclusive Special Excise Judge-1, Bhojpur at Ara, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

7. As far as **petitioner no. 1, namely, Baljeet Singh** is concerned, he is the owner of the said vehicle from where the recovery of liquor has been made and also he has two criminal antecedents of similar nature. In that circumstance, I am not inclined to grant anticipatory bail to the petitioner no.1, hence, his application for anticipatory bail stands rejected.

8. The anticipatory bail application stands dismissed in respect of petitioner no. 1, namely, Baljeet Singh.

(Ashok Kumar Pandey, J)

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