

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15395 of 2017

Arising Out of PS.Case No. -214 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
KATIHAR

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Banti Singh (Owner of Auto Rickshaw), Son of Late Vijay Singh, resident
of village - Gera Bari (Bazar), P.S. Korha, District - Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 20-04-2017 Heard both sides.

The petitioner seeks bail in C.I. Case No. 214/2017,
registered for the offences punishable under Sections 30(a), 13 of
Bihar Excise Act.

The police intercepted an Auto-Rickshaw and arrested
two persons from the vehicle. About 173 litres of beer and whisky
were recovered.

Learned counsel for the petitioner submits that petitioner
is the owner of the Auto-Rickshaw. He was not driving the
vehicle. Bablu Sah @ Babli had taken the Auto-Rickshaw for
carrying on the road, but he managed to flee away. The petitioner
had no knowledge that the driver was carrying any liquor in the



Auto-Rickshaw. Ashok Sah has already been enlarged on bail vide order passed in Cr. Misc. 15083/2017.

It is submitted that the learned District & Sessions Judge, Katihar committed error of record in stating that 320 litres of liquor was recovered, but only 173 litres of beer and whisky was recovered, for that the petitioner is in jail since 16.02.2017.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in connection with C.I. Case No.214/2017.

(Prabhat Kumar Jha, J.)

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