

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55742 of 2016

Arising Out of PS.Case No. -345 Year- 2016 Thana -BARACHATTI District- GAYA

=====

Mohnish Kumar Singh, Son of Shiv Kumar Singh, Resident of Village-
Rajapur, P.O. Rajapur English, P.S. Koilwar, District- Bhojpur at Ara.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 16-01-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Barachatti P.S. Case No.345 of 2016 registered under Sections 272, 273 and 120(B) of the Indian Penal Code besides Sections 47(a), 48(2), 54 and 63 of the Bihar Excise (Amendment) Act, 2016.

The accusation is that the police on receiving secret information about carrying the Indian Made Foreign Liquor from Jharkhand started to search the vehicle and, in that course, one Bolero vehicle bearing Registration No.JH-10V-2606, which was being driven by one Ranjeet Kumar, was searched and Ranjeet



Kumar was apprehended. On search of the aforesaid Bolero vehicle, 50.25 litre Indian Made Foreign Liquor, kept in 67 bottles, each containing 750 ml., was recovered. The ownership paper was also found in the aforesaid Bolero vehicle, from which it appeared that the same was belonging to the petitioner.

Submission on behalf of the petitioner is that, in fact, the petitioner, due to non availability of the driver, had handed over his Bolero vehicle to one Mani Bhushan Singh, son of Dhirendra Kumar Singh, resident of village-Type-2, 217 P & T Colony, Kidwaipuri, Patna, G.P.O., Patna, P.S. Budha Colony (Patna), for plying over the same by executing the agreement of deed on 27.08.2016, who also appeared in the court of the Sessions Judge, Gaya, at the time of consideration of anticipatory bail petition of the petitioner and admitted this fact. As such, the petitioner had no knowledge about carrying the aforesaid Indian Made Foreign Liquor in his Bolero vehicle, belonging to this petitioner. Further submission is that the petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



Additional Chief Judicial Magistrate, Sherghati, Gaya, in
connection with Barachatti P.S. Case No.345 of 2016, subject to
the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

