

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54946 of 2016

Arising Out of PS.Case No. -89 Year- 2016 Thana -PRATAPGANJ District- SUPAUL

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Shrawan Kumar @ Sarwan Kumar, S/o - Bechan Yadav, R/V - Achara, P.S.
- Phulkaha, Distt. - Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 10-01-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Pratapganj P.S. Case No. 89 of 2016 registered under
Section 30(A) of the Bihar Excise Act.

The accusation is that, on 28.10.2016, Basudeo
Paswan, Choukidar of Pratapganj, was moving on NH 57 near
Mahal Bans Chouck then he saw that 10 to 20 persons
assembled at the door of Seva Lal in the village Chiloni, on
which, he reached there. On query, he came to know that one
persons came on motorcycle bearing registration no. BR-38J-
2079 to hand over 50 bottles of illegal country made liquor to
Seva Lal but the persons fled away living his motorcycle



alongwith 50 bottles of illegal country made liquor, each containing 200 ml. Thereafter, police came there and recovered motorcycle bearing registration no. BR-38J-2079 with country made liquor.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the country made liquor was not recovered from the motorcycle bearing registration no. BR-38J-2079, which is said to be found near the door of Seva Lal. It is further submitted that, in fact, the petitioner had gone to village Chiloni to meet his friend Bikesh Kumar Yadav and due to narrow lane petitioner parked his motorcycle near the house of Seva Lal and went to the house of Bikesh Yadav and the suspicion has been raised by the informant, who is the Choukidar, about carrying the country made liquor by that motorcycle. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Birpur, Supaul,



in connection with Pratapganj P.S. Case No. 89 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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