

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12612 of 2017

Arising Out of PS.Case No. -169 Year- 2016 Thana -PHULWARIA District- BEGUSARAI

=====

Balkrishna Singh @ Balkrishna Mahto S/o Late Jamuna Singh @ Jamuna Mahto R/o Village - Ashurari Gachhi Tola, P.S. - Barauni, District - Begusarai, Permanent Address - Village - Fulmalik, P.S. Sahebpur Kamal, District - Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Ravindra Kumar, Advocate.

For the Opposite Party : Mr. Rajendra Nath Jha, APP.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-04-2017 Heard both sides.

The petitioner seeks bail in Phulwariya P.S. Case No. 169 of 2016, registered for the offences punishable under Sections 272, 273 and 290 of the Indian Penal Code and under Sections 30, 35 and 38A of the Bihar Excise Prohibition Act, 2016.

The informant got information that a truck carrying Indian made foreign liquor was parked in the SDS brick kiln. On such, a raid was conducted and two persons namely Ajit Singh and Balkrishna Singh @ Balkrishna Mahto, the petitioner were arrested. 75 cartons from the truck bearing registration no. BR-09M-8098 and 75 cartons from brick kiln and 11 cartons kept in between truck and brick kiln total 1418 liters of Indian made



foreign liquor was recovered.

Learned counsel for the petitioner submits that the petitioner is a labourer of the brick kiln and he was arrested on mere suspicion. The petitioner is neither owner of the brick kiln nor the owner of the truck. The petitioner is not the driver and cleaner of the truck. Co-accused Ajeet Singh has already been enlarged on bail vide order passed in Cr. Misc. No. 12250 of 2017 on 18.03.2017. The petitioner is in jail since 31.12.2016.

Considering the facts aforesaid and the fact that similarly situated co-accused has already been enlarged on bail, 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 the Judicial Magistrate, 1st Class, Begusarai in Phulwariya P.S. Case No. 169 of 2016.

(Prabhat Kumar Jha, J.)

KKSINHA/-

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

