

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41644 of 2017

Arising Out of PS. Case No.-124 Year-2017 Thana- PIRO District- Bhojpur

Sanjay Singh , Son of Sri Niwas Singh, Resident of Village- Marouna, P.S.-
Bikramganj, District- Rohtas(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Sri Chandrasen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 15-09-2017 Heard Sri Manoj Kumar, learned counsel for the
petitioner and Sri Chandrasen Prasad Singh, learned Additional
Public Prosecutor .

The sole petitioner , who is in custody since 26.05.2017 in
Piro (Hasan Bazar) P.S. Case No. 124 of 2017 registered for
the offence under Section 30(A)/ 56(D) of the Bihar Prohibition
and Excise Act, 2016 has prayed for grant of bail.

By way of referring to the statement made in paragraph
no. 3 of the petition it was submitted by learned counsel for the
petitioner that petitioner is having clean antecedent and
petitioner has been made accused on an accusation as if
petitioner was waiting for taking consignment from two
vehicles which were loaded with huge quantity of foreign
liquor . Learned counsel for the petitioner submits that the



vehicle with Hyundai EON and Pick-up van were having no. of Jharkhand and it appears that consignment was carried from Jharkhand and in Piro after interception the petitioner was made accused as if on motorcycle petitioner was waiting for taking consignment. He submits that surprisingly though such huge quantity had traveled in the State of Bihar for such a long time at Piro, on accusation as if petitioner was going to take consignment was made accused and apprehended.

Learned Additional Public Prosecutor has opposed the prayer for bail. However, he was also not in a position to explain as to under what circumstances the said consignment had traveled in the State of Bihar for such a long time. It is really surprising how, under what circumstances a vehicle carrying such quantity of foreign liquor had traveled within the territory of the State for such a long time. This depicts about the role of the Police. However, considering the fact that petitioner is having clean antecedent and he was made accused on assumption that he was waiting for taking consignment, there is no reason to further detain the petitioner.

Considering the nature of accusation, clean antecedent of the petitioner as well as period of custody, let the petitioner Sanjay Singh 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 Additional Sessions Judge IVth , Bhojpur at Ara / concerned court in connection with Piro (Hasan Bazar) P.S. Case No. 124 of 2017.

(Rakesh Kumar, J)

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