

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65611 of 2018

Arising Out of PS. Case No.-137 Year-2018 Thana- TARAPUR District- Munger

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Gopal Singh, Son of Sahdeo Singh, Resident of Village- Khaira Darai, P.S.-
Tarapur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambrish Kumar Jha, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 17-12-2018 Heard counsel for the petitioner and counsel
appearing on behalf of the State.

The petitioner is apprehending arrest in
connection with Tarapur P.S. Case No. 137 of 2018 for offences
under Sections 30(a)/32 of the Bihar Prohibition and Excise
Act, 2016.

Counsel for the petitioner submits that the
petitioner has no criminal antecedent. The alleged liquor was
seized from a Bolero vehicle parked in front of the house of
Sahdeo Singh and not the petitioner. The petitioner has been
roped in the present case only because he is owner of the
vehicle.

Counsel submits that the petitioner is innocent.
He has been using the vehicle for personal use and parked the



vehicle in front of his house. There is some foul play in the alleged recovery of liquor from his vehicle.

Considering the fact that the petitioner has no criminal antecedent and nothing has been recovered from his conscious possession, the vehicle was in front of the house of the petitioner and at the time of seizure the vehicle is alleged to have been parked in front of the house of one Sahdeo Singh, the court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, in the event of arrest or surrender within four weeks from today, be released 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 Additional Sessions Judge 2nd cum Special Judge (Excise Act), Munger in connection with Tarapur P.S. Case No. 137 of 2018, subject to the conditions as laid down under Section 438(2) Cr. P. C.

(Anil Kumar Upadhyay, J)

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