

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7677 of 2018

Arising Out of PS. Case No.-240 Year-2017 Thana- KHUSRUPUR District- Patna

Shashi Kumar, Son of Baleshwar Yadav @ Baleshwar Prasad, Resident of
Village- Harinagar, P.S.- Sahjahanpur, District- Patna.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amit Kumar

For the Opposite Party/s : Mr. LAKSHMI KANT SHARMA

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 08-02-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with
Special Case No. 7838 of 2017 (Khusrupur P.S. Case No.240
of 2017), registered under Sections 420 and 120(B) of the
Indian Penal Code and Section 30(a), 38 and 41 of the Bihar
Prohibition and Excise (Amendment) Act.

The accusation is that on receiving secret
information about carrying the India made foreign liquor in
truck and in other vehicles, the informant and other Police
officials started searching of the vehicle in that course one
truck bearing Reg. No. BR-1GA-1876, one Swift car bearing
No. BR-01BM-3116 and one Alto Car No. BR-01CU-9358



were stopped and searched. On search, 552 bottles, each containing 750 ML India made foreign liquor recovered from the said truck, whereas 8 bottles, each containing 750 India made foreign liquor recovered near the seat of the driver, who disclosed his name as Shankar Yadav and he also disclosed that the said truck belongs to one Raju Kumar Sah, who is the liquor Mafiya. Thereafter, swift car was searched and 48 bottles, each containing 375 ML, was recovered in which petitioner and one Vinod Yadav were found sitting in the said swift car, whereas from the Alto car 48 bottles, each containing 375 ML India made foreign liquor recovered in which Kaushal Kumar and Chhotu Kumar were found sitting.

Learned counsel for the petitioner submits that, in fact, petitioner and co-accused Vinod Yadav were wrongly apprehended by the informant and remanded in the present case showing the recovery of 48 bottles of India made foreign liquor. Further submission is that petitioner has no criminal antecedent and he is in custody since 08.11.2017.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released 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 the Special Judge, SC/ST Act-cum-Excise Act,
Patna in connection with Special Case No. 7838 of 2017,
(Khusrupur P.S. Case No. 240 of 2017).

(Rajendra Kumar Mishra, J)

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