

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11173 of 2019

Arising Out of PS. Case No.-469 Year-2018 Thana- HAJIPUR SADAR District- Vaishali

Mithilesh Sahni @ Mithilesh Kumar, S/o Late Rameshwar Sahani @ Jatahu
Sahni @ Ramishwar Sahani R/o Village Vesara, P.S.- Sarai, Distt. -Vaishali.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Manish Chandra Gandhi, Advocate Mr. Himanshu Ranjan, Advocate,
For the Opposite Party/s :		Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 09-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Hajipur Sadar P.S. Case no. 469 of 2018, registered under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information about carrying of illicit liquor loading on four wheeler, informant and other Police personnel reached near Harauli-Bhatandi road. Then one four wheeler and a motorcycle were seen. The informant gave signal to stop the vehicles, but motorcycle rider turn his motorcycle and succeeded to flee away, while driver of four wheeler also tried



to flee away, but informant and other Police personnel reached there then one person succeeded to flee away, but driver of the vehicle was apprehended, who disclosed his name as Aman Kumar and he also disclosed the name of petitioner, who succeeded to flee away. On search, 30 cartons, containing 360 bottle of 270 ML, 03 cartons containing 72 bottles of 375 ML, one carton containing 48 bottles of 180 ML were recovered from the four wheeler. On inquiry, Aman Kumar disclosed that petitioner and Vimal Panday are indulged in illicit business of liquor.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that petitioner is not the owner of motorcycle or four wheeler bearing registration No. WB-02L-8175, rather, the name of the petitioner and one Bimal Pandey has been disclosed by co-accused Aman Kumar, who was apprehended on the spot. The 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 four 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 Addl. Sessions Judge-II-
cum-Special Judge, Hajipur, Vaishali in connection with Hajipur
Sadar P.S. Case No. 469 of 2018, subject to the condition as laid
down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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