

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8036 of 2019

Arising Out of PS. Case No.-161 Year-2018 Thana- PARWALPUR District- Nalanda

BABLU KUMAR Son of Suresh Prasad @ Suresh Yadav Resident of Village-
Atbalchak, P.S. Tharthari, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Prasad Singh
For the Opposite Party/s : Mr.Ramesh Chandra

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

ORAL ORDER

6 11-07-2019 Let the supplementary affidavit filed on behalf of the
petitioner be kept on the record.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Parwalpur P.S. Case No.161 of 2018 registered under
Sections 414/34 of the Indian Penal Code besides Section 30(A)
of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of checking by the
informant and other police personnel, one motorcycle bearing
Registration No.B.R.-01B.A. 5832 was seen on which two
persons were sitting. On seeing the police party, both persons
started to flee away leaving the motorcycle but, on chase, one



person was apprehended, while another person succeeded to flee away. The apprehended accused disclosed his name as Virmani Kumar and also disclosed the name of the petitioner, who succeeded to flee away, saying that this petitioner used to do the business of liquor and the motorcycle is belonging to him. On search of the motorcycle, 45 pouches, each containing 200 ml. liquor, were recovered. On query, the apprehended accused did not produce any paper of the motorcycle.

Learned counsel for the petitioner submits that the name of the petitioner has surfaced in the confessional statement of the apprehended accused. While it is alleged in the F.I.R. that the seized motorcycle is of the petitioner but the said motorcycle is not belonging to the petitioner nor his family members. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 6th Additional Sessions Judge-cum-Special Judge (Excise), Nalanda, Bihar Sharif, in connection with Parwalpur P.S. Case No.161 of 2018, subject to the



conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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