

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11146 of 2019

Arising Out of PS. Case No.-296 Year-2018 Thana- MAIRWAN District- Siwan

Lalu Singh, aged about 22 years, Male, S/o Ashok Singh, Resident of Village Kabirpur, P.S. Mairwa, District Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh
For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-02-2019 Heard both sides.

The petitioner apprehends his arrest in Mairwa P.S. Case No.296 of 2018, registered under Sections 272, 273, 308 and 34 of the Indian Penal Code and under Sections 30(1), 38(1) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

The S.H.O. of Mairwa Police Station got information that Mantu Singh, Lalu Singh and Rajan Sah, who deal in illicit liquor, were bringing liquor on a Tata Indigo Car bearing Registration No.BR-01-AT-5331. Mantu Singh and Lalu Singh were on a motorcycle. When the police asked them to stop, the motorcyclists fled away. Two persons also fled away from the car. The car was seized and on search 233 litres Indian made foreign liquor kept in 53 cartons were recovered.

Learned counsel for the petitioner submits that the



informant alleged that the petitioner is habitually dealing in illicit liquor but the petitioner has got no criminal antecedent and the petitioner has got no manner of concern with the vehicle and the consignment recovered from the vehicle. Save and except the so called secret information received by the S.H.O. of Mairwa Police Station, there appears no material to show that the petitioner was ever involved in business of illicit liquor.

Taking into consideration the facts aforesaid and the fact that the petitioner has got no criminal antecedent and nothing has been recovered from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged 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 learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Siwan in connection with Mairwa P.S. Case No.296 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

S.KUMAR/-

U		T	
---	--	---	--

