

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11406 of 2019

Arising Out of PS. Case No.-364 Year-2018 Thana- ARA NAWADA District- Bhojpur

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Bhagwant Singh @ Bhagwat Singh, aged about 35 years, Male, son of Ajit Singh, R/o village- Ruraki Hiran, P.S- Chamkaur Saheb, Dist- Rupnagar (Roper) Panjab.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 26-02-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Excise Case No.922 of 2018, arising out of Ara Nawada P.S. Case No. 364 of 2018, registered for the offences under Sections 30(a), 38(i) (ii), 41 (i) (ii) and 47 of the Bihar Prohibition of Excise Act.

Two trucks were intercepted and the petitioner is the owner of Truck bearing Registration No. PB11AE 0938, from where huge quantity of liquor has been recovered.

Learned counsel for the petitioner submits that the petitioner was the owner of the said truck, but he had sold the same on 14.02.2017.



In such view of the matter, let the petitioner, namely, Bhagwant Singh @ Bhagwat Singh, be released on provisional bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Bhojpur at Ara, in connection with Excise Case No.922 of 2018, arising out of Ara Nawada P.S. Case No. 364 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that one of bailors will be a close relative of the petitioner i.e. wife/brother/son.

The Court below will verify the fact as to whether on the date of occurrence the petitioner was owner of the said truck or not. If it is found that on the date of occurrence he was not the owner of the truck, in such circumstance, his provisional bail will be confirmed, otherwise this order will be treated to have been cancelled.

(Shivaji Pandey, J)

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