

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14100 of 2019

Arising Out of PS. Case No.-193 Year-2017 Thana- NAUTAN District- Siwan

Abhay Pratap Singh @ Abhay Singh, aged about 39 years, Male, Son of Om Prakash Singh, Resident of Village Chakra Tola Premrai Deoria, P.S. Kotwali Deoria, District Deoria (Uttar Pradesh).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Kishun Prasad

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-03-2019 Heard both sides.

Petitioner apprehends his arrest in Nautan P.S. Case No.193 of 2017, registered under Sections 272, 273, 308 and 34 of the Indian Penal Code as well as under Sections 30(a), 38(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

The informant, S.H.O. of Nautan police station, intercepted a tractor and arrested three persons, namely, Sonu Gor, Anand Yadav and Raju and on search 9 litres of country made liquor is said to have been recovered from the box fitted in the trailer of the tractor.

Learned counsel for the petitioner submits that petitioner is the owner of the tractor. The driver was driving the tractor and petitioner had no knowledge that his driver was



carrying any liquor in the tractor.

Taking into consideration the facts aforesaid and the fact that the petitioner is the owner of the tractor, 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 Chief Judicial Magistrate/Additional Sessions Judge-II, Siwan in connection with Nautan P.S. Case No.193 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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