

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16484 of 2019

Arising Out of PS. Case No.-101 Year-2018 Thana- ARWAL District- Jehanabad

Binod Kumar Singh, Son of Late Krishna Singh, Resident of Village - Badka Gaon, P.S.- Tarari, Distt.- Bhojpur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Singh

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 22-07-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Arwal P.S. Case No. 101 of 2018, registered under Section 30(a) of the Bihar Excise Act, 2016.

The accusation is that on receiving secret information about unloading of illicit liquor from the Mahendra Mini Truck and loading the same in another vehicles near the house of Dinesh Paswan and Sonu Paswan, the informant along with other police personnel reached there and saw several vehicles were standing. On seeing the police personnel, the persons, who were present there, succeeded to flee away. On search, 15 cartoons from Tavera vehicle, 10 cartoons from Scorpio vehicle, one carton from motorcycle and 5 cartoons from Mahindra Mini Truck, total 528 bottles each containing 750 ml Indian made foreign liquor recovered.



Learned counsel for the petitioner submits that, in fact, petitioner is the owner of Mahindra Mini Truck bearing registration no. BR06CG – 1772, which was being driven by Ram Nath Singh, son of Butan Singh, Village Barap, P.s. Garhani, Distt.- Bhojpur, who was engaged by the petitioner as driver and the aforesaid Mini Truck was engaged for transportation and petitioner, who is the owner of the truck had no knowledge about carrying the illicit truck by his driver. 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 six 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 learned 2nd Additional Sessions Judge-cum-Spl. Judge, Excise, Jehanabad, in connection with Arwal P.S. Case No. 101 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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