

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70671 of 2018

Arising Out of PS. Case No.-335 Year-2017 Thana- SAHPUR District- Bhojpur

Manoj Kumar Dubey S/o Omkar Nath Dubey resident of Village- Jawahi
Diyara, P.S. Brahampur, District- Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Mohan Tripathi

For the Opposite Party/s : Mr. Dilip Kumar

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

ORAL ORDER

3 29-01-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Shahpur P.S. Case no. 335 of 2017, registered under
Section 30(a) of the Bihar Excise Act.

The accusation is of recovery of 32.4 liters of
India made foreign liquor kept in different bottles from the
vehicle bearing Reg. No. DL3CBM6923 in which Dharmendra
Kumar Choubey, Prabha Shankar Choubey, Kamlesh Ram and
Sujit Kumar Dubey were found sitting. The apprehended
persons disclosed the name of petitioner as owner of the
vehicle.

Learned counsel for the petitioner submits that, in
fact, the vehicle in question was purchased by Omkar Nath



Dubey, father of the petitioner, but subsequently, the said vehicle was sold by the father of the petitioner to Sheikh Saraj and the papers of owner book was also transferred in the name of Sheikh Saraj on 26.05.2017, while the vehicle is said to be seized on 10.12.2017. Further submission is that 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 four 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 learned Addl. Sessions Judge-IV-cum-Special Judge, Bhojpur at Ara in connection with Shahpur P.S. Case No. 335 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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