

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21062 of 2019

Arising Out of PS. Case No.-207 Year-2018 Thana- KOCHAS District- Rohtas

SHRAWAN SHARMA Son of Late Bhikhari Sharma Resident of Village -
Ram Nagar, P.O. Sedhan, P.S.- Tarari, Distt - Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Msr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 05-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case is that the informant being, the ASI of
Police, Parsathua Police Station on 26.11.2018 at 6.00 P.M.,
after having received a secret information to the effect that co-
accused Kanhaiya Sharma is going to sell illicit liquor on a
motorcycle, laid a raid when three motorcycles borne miscreants
on seeing the police party started fleeing away from the scene,
but on chase being made, they were apprehended. Subsequently,
they disclosed their names as co-accused Kanhaiya Sharm,



Rajnish Kumar and Bhupendra Sharma and on frisking from their possession, 800 ml illicit liquor was recovered. The motorcycle on which they were travelling was found registered in the name of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner was not travelling on the said motorcycle from which the said recovery has been made. Though the petitioner is accused in one other case, but he is on bail in that case.

It is submitted by learned APP for the State that the motorcycle from which the said recovery was made, has been found registered in the name of the petitioner.

Considering the fact that this is not the case of the prosecution that the petitioner was found travelling on the said motorcycle from which the recovery has been made or the recovery has been made from the conscious physical possession of the petitioner, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 Additional Sessions Judge-II-cum-Special Judge, Excise, Rohtas at Sasaram, in connection with Kochas (Parsathua) P.S.



Case No.207 of 2018, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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