

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25119 of 2019

Arising Out of PS. Case No.-143 Year-2019 Thana- PURNEA SADAR District- Purnia

Manoj Sarkar Son of Dilip Sarkar Resident of Village - Satdove Belauri Ward
No.44, P.s.- Ranipatra Muffasil (Akbarpur), Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Nitya Nand Tiwary

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 19-04-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Sadar P.S. Case no. 143 of 2019, registered under Section 30
(a) and 47 of the Bihar Prohibition and Excise Act, 2016.

98.820 liters of foreign liquor is said to have been
recovered from the dicky of the tempo and its driver managed to
escape. From the documents recovered from the said tempo, the
name of the petitioner surfaced as owner of the said tempo.

It is submitted by learned counsel for the petitioner that
no incriminating article has been recovered from the conscious
physical possession of the petitioner. He has no concern with
the seized liquor. He was not apprehended on the spot.



Petitioner happens to be owner of the said tempo and has given the tempo to its driver for plying the same on rent. He had no knowledge of transporting the liquor by the said driver. He 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Session Judge-cum-Special Judge Excise, Purnea in connection with Sadar P.S. Case No. 143 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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