

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34023 of 2019

Arising Out of PS. Case No.-99 Year-2019 Thana- VAISHALI District- Vaishali

Binod Kumar (Male), aged about 39 years, Son of Late Bhogendra Rai,
Resident of Village - Parwara, P.S. - Belsar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan, Advocate
For the Opposite Party/s : Mr.Ahtasham Ali Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-08-2019 Heard.

The petitioner apprehends his arrest in connection with Vaishali (Belsar) P.S. Case No. 99 of 2019 registered for the offences punishable under Sections 30(a), 32(2), 41(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that on 16.03.2019, one S.I. Ajit Kumar Srivastava, O.P. Incharge Belsar O.P. gave a self written statement in which he stated at 03.30 A.M., he received information from S.D.P.O., Hajipur that at Nagwa Chower miscreants are going to unload illegal wine then he along with other police force moved there and shown near Pintu Singh's chimni 10-12 four vehicle, some motorcycles and truck were standing and 15-20 people were unloading cartoons in small vehicles. When they show the police, he started fleeing away



but three persons and vehicles were caught but no local persons were ready to be witness then two persons of police party became witness and seizures were made and from BOLERO PICK UP vehicle bearing Registration No.BR06GB4721, 2472 bottles of 375 ml. Morning Movement Premier Whisky were recovered along with other vehicles.

There is no recovery from the conscious possession of the petitioner. The name of the petitioner transpired in the instant case just because he is owner of the BOLERO PICK UP vehicle bearing Registration No. BR06GH4721 and apart that nothing is against the petitioner. In paragraph-8 of the petition, it is mentioned that the BOLERO PICK UP vehicle bearing Registration No. BR06GH4721 is a commercial transport vehicle and the petitioner has given his vehicle on the given days to one Nitesh Kumar, who used to transport transfers and the petitioner never consented for the use of his vehicle as carrier for any illegal items. The petitioner has no criminal antecedent.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of 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 Additional District and Sessions Judge cum
Special Judge, Vaishali at Hajipur in connection with Vaishali
(Belsar) P.S. Case No. 99 of 2019, subject to the condition as
laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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