

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42242 of 2019

Arising Out of PS. Case No.-258 Year-2018 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Suresh Singh @ Sukesh Singh @ Suresh Kumar Singh @ Suresh Kumar @
Sukesh Kumar, Son of Radhe Singh @ Radha Raman Singh, Resident of
Village - Chakhabib, P.S.- Musrigharari, Dist.- Samastipur. Wrongly
mentioned in FIR as Resedent of Village - Baghi, P.S.- Samastipur Muffasil,
Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Amitesh Kumar

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

ORAL ORDER

2 09-07-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Samastipur Muffasil P.S. Case No. 258 of 2018, registered under
Sections 30, 36, 38, 41 and 47 of the Bihar Prohibition and Excise
Act, 2016.

The accusation is that in course of patrolling duty,
informant and other police personnel received information that six
persons including the petitioner are engaged in unloading the liquor
from the truck for selling the same. Thereafter, informant and other
police personnel reached at Kharanja Road then on seeing the police
party, the aforesaid six persons started to flee away, while on chased
they succeeded to flee away. On search of truck, 1584 litres Indian



made foreign liquor were recovered.

Learned counsel for the petitioner submits that petitioner is neither the owner nor the driver of the aforesaid truck but mere on suspicion, petitioner and six others have falsely been implicated in this case. It is further submitted that similarly situated co-accused, Navneet Singh @ Navneet Kumar has already been granted privilege of pre-arrest bail by a Bench of this Court vide order dated 18.08.2018 passed in Criminal Misc. No. 46681 of 2018.

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-Special Judge, Excise, Samastipur, in connection with Samastipur Muffasil P.S. Case No. 258 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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