

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36976 of 2019

Arising Out of PS. Case No.-33 Year-2019 Thana- DHANSOI District- Buxar

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Dau Singh @ Dau Jee Singh Son of Bunela Singh, Resident of Village -
Kaitherkalan, P.S.- Dhansoi, Distt - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Madhura Nand Jha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-06-2019 Heard both sides.

The petitioner apprehends his arrest in Dhansoi P.S.

Case No.33 of 2019 registered under Section 30(a) of the Bihar
Prohibition and Excise Act.

The informant (a police official) got information that

the consignment of liquor was brought on two pick-up vans for
delivery at the instance of petitioner. The informant reached
near Kaithar Kala bridge and intercepted both the pick-up vans
from which 881 litres of Indian made foreign liquor was
recovered. The driver of the pick-up van, namely, Bihari Sah
disclosed that the owner of the pick-up van had asked him to
deliver the consignment of liquor at the house of Dau Singh
(petitioner).

Learned counsel for the petitioner submits that the



house of the petitioner was not searched. No amount of liquor was recovered from the house of petitioner. Merely on the basis of disclosure made by the driver of the pick up van, who was carrying liquor at the instance of the owner of the pick-up van, the petitioner has been implicated in the case.

Having considered the facts aforesaid that save and except disclosure made by the driver of the pick-up van, there appears no tangible material to show the involvement of the petitioner in transportation of liquor, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. II-cum-Special Judge, Excise, Buxar in connection with Dhansoi P.S. Case No.33 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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