

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69613 of 2018

Arising Out of PS. Case No.-291 Year-2018 Thana- BARACHATTI District- Gaya

Sudhanshu Suman Son of Kailash Prasad Resident of Village-Bermi P.S.
Kadirganj, District-Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Advocate

For the Opposite Party/s : Smt. Suman Kumari Singh

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

ORAL ORDER

5 05-02-2019 Heard the parties.

The petitioner seeks pre-arrest bail in Barachatti
P.S.Case No.291 of 2018 registered under Sections 30(a), 38
and 47 of the Bihar Excise and Prohibition Act, 2016.

Accusation is of recovery of 171 litres Indian made
foreign liquor kept in 280 bottles each contained 750 ml. from
Supro Maxi Truck which was being driven by a driver along
with one another person. On query, the driver of the vehicle
disclosed his name as Sanjay Choudhary and another person
sitting beside the driver disclosed his name as Akhilesh Kumar
but he could not produce any paper regarding seized wine. It
was also detected that the said vehicle belonged to this
petitioner.



Learned counsel appearing on behalf of the petitioner submits that in fact, the petitioner is the owner of the seized truck from which alleged liquor was recovered and the truck was being driven by Sanjay Choudhary and Akhilesh Kumar was sitting beside him but the petitioner had no knowledge about the seized liquor. Petitioner has no criminal antecedent.

Having considered the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya in connection with Barachatti P.S.Case No.291 of 2018 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Rajendra Kumar Mishra, J)

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