

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40955 of 2019

Arising Out of PS. Case No.-104 Year-2019 Thana- KHAIRA District- Saran

PARMA NAND SINGH, aged about 43 years, Male, S/o Sri Fulena Singh,
Resident of Village- Majhwalia, P.S.-Marhowrah, District- Saran (Chapra)
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Kapil Deo Singh, Adv.
For the Opposite Party : Mr. Dr. Indihar Kumari, APP

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

ORAL ORDER

2 03-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Khaira P.S. Case No. 104 of 2019 for the offence alleged under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is of recovery of a carton, containing
five bottles of Indian made foreign liquor, each containing 750
ml, eight bottles of 750 ml of beer from the Scorpio, which was
being driven by Uma Shankar Rai and not by this petitioner. On
query, driver, Uma Shankar Rai, disclosed that he was going
with the barat party.

The learned counsel appearing for the petitioner
submits that the petitioner is the owner of the Scorpio in
question and the vehicle was engaged for carrying the barat
party. He sent his Scorpio with the driver, Uma Shankar Rai,



who is said to be apprehended by the police. In fact, the petitioner have no knowledge about keeping the seized liquor by the driver in the vehicle and the petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Khaira P.S. Case No. 104 of 2019 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional District Judge IX-cum-Special Judge, Excise Act, Saran at Chapra, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure.

(Rajendra Kumar Mishra, J)

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