

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47151 of 2019

Arising Out of PS. Case No.-107 Year-2019 Thana- PATEPUR District- Vaishali

RAHUL KUMAR Son of Shree Rajesh Sahani @ Rajesh Sahni Resident of
Village - Bakhari Dua, P.S.- Kathara, Dist.- Vaishali.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioner : Ms. Sagarika, Advocate.

For the State : Mr. Damodar Prasad Tiwary, A.P.P.

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

ORAL ORDER

2 31-07-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Patepur P.S. Case No.107 of 2019 registered under Sections 30(a)(b)
(c), 38 and 41(a)(b) of the Bihar Prohibition and Excise Act.

The accusation is that on receiving the secret information
about carrying the liquor loading on Scorpio vehicle, the informant
along with other police personnel started to check the vehicle. In that
course, one Scorpio vehicle was seen coming. On giving the signal
to stop the vehicle, the speed of the vehicle was accelerated. While
on chase, the vehicle and one person was apprehended but another
person succeeded to flee away. The apprehended accused disclosed
his name as Dev Lal Kumar and also disclosed the name of the
petitioner, who succeeded to flee away. On search of the Scorpio



vehicle, several bottles , containing Indian Made Foreign Liquor in the volume of 165.540 liters, were recovered.

Learned counsel for the petitioner submits that the petitioner was not apprehended on the spot rather his name has been disclosed by the apprehended accused. Further submission is that the petitioner is not the owner of the seized vehicle and he has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur, in connection with Patepur P.S. Case No.107 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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