

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47749 of 2019

Arising Out of PS. Case No.-299 Year-2019 Thana- TURKAULIYA District- East
Champaran

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Santosh Kumar, S/o Raghunath Sah, Resident of Village- Chakiya, P.S.-
Chakiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 31-07-2019 This is an application for grant of anticipatory bail in

connection with Turkaulia P.S. Case No.299 of 2019, disclosing

offences under Sections 272, 273 and 34 of IPC and Sections

30(a), 38(i) and 41 (1) of the Bihar Prohibition and Excise Act,

2016.

Allegation of recovery of huge quantity of spirit i.e.

3200 liters from the truck bearing No. BR-06D-9610 and

petitioner is stated to be the owner of the truck. It further

appears that said spirit was kept in an especially designed box in

the truck.

Submission of the learned counsel for the petitioner is

that he has already sold the truck in the year 2012 and as such,

there is no concern with the truck.

Heard learned A.P.P. also, who has opposed the prayer



for anticipatory bail on the ground that there is recovery of huge quantity of spirit and petitioner is said to be the owner of the truck.

Having heard both sides, in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the learned court below and make prayer for regular bail along with copy of the owners book/registration, the authenticity of the same shall be examined by the concerned DTO office. Once the report is received, he will pass an order in accordance with law. It is expected that till the enquiry on the ownership/registration certificate, the court below shall release the petitioner on provisional bail on his own satisfaction

With the aforesaid, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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