

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50821 of 2019

Arising Out of PS. Case No.-177 Year-2019 Thana- DINARA District- Rohtas

Raju Sonkar Son of Late Manu Lal Sonkar Resident of Village - Bhiti, P.O. -
Ramnagar, P.S.- Ramnagar, District - Varanasi (U.P.)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Singh
For the Opposite Party/s : Mrs. Rita Verma

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 19-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection with
Dinara P.S. Case No. 177 of 2019 registered for the offence
punishable under Section 30(a) of Bihar Prohibition & Excise
Act-2016.

Informant seized one Mahindra Marazzo vehicle
and one Scorpio. Driver and cleaner of the said Mahindra
Marazzo were apprehended while driver of Scorpio and another
accused managed to escape. Informant seized 343.8 lts. of
foreign liquor from the Scorpio and 430.2 lts. of foreign liquor
from Mahindra Marazzo. Apprehended accused disclosed that
the aforesaid liquor is hailing to one Rai Ji.



It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern either with the seized liquor or with any trade of liquor. Though, he happens to be owner of Scorpio but, driver of the said Scorpio was proceeding to Sasaram along with said Scorpio taking Rs. 50,000/-. On the way at Dahla Mor, Durgawati, some unknown miscreants hijacked the said Scorpio and used the same in transporting liquor. Petitioner has given information of the aforesaid theft of his Scorpio to the P.S. Durgawati and the matter was also published in the news paper. Petitioner had no knowledge of transporting the liquor on the aforesaid Scorpio. No offence under Excise Act is made out against the petitioner. Petitioner has no criminal antecedent.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions



Judge cum Special Judge, Excise, Rohtas at Sasaram in connection with Dinara P.S. Case No. 177 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

rohit/-

U		T	
---	--	---	--

