

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58029 of 2019

Arising Out of PS. Case No.-171 Year-2019 Thana- MUFFASIL District- Aurangabad

RAJA SINGH @ SAHENDRA KUMAR SINGH Son of Krishna Singh
Resident of Village - Koiri Bigha, P.S.- Aurangabad Muffasil, District -
Aurangabad (Bihar).

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Ms. Leelawati Kumari, Advocate.

For the State : Mr. Yogendra Kumar Singh, A.P.P.

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

ORAL ORDER

3 13-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Aurangabad Muffasil P.S. Case No.171 of 2019 registered
under Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

The accusation is that on receiving the secret
information about carrying the illicit liquor loading on the
motorcycle and four-wheeler vehicle, the informant along with
other police personnel reached at Simra Morh in village-
Khakhra Toley and started the checking of the vehicles. In that
course, three motorcycles were seen coming. When the signal
was given to stop the motorcycles and the attempt was made to



check Apachi Motorcycle bearing Registration No.BR26L-3439, taking the advantage of the night and the darkness, the persons of two other motorcycles, which were coming behind the aforesaid Apachi Motorcycle bearing Registration No.BR26L-3439, succeeded to flee away, leaving their motorcycles. The rider of Apachi Motorcycle bearing Registration No.BR26L-3439 along with the said motorcycle was apprehended, who disclosed his name as Deepak Kumar. On search of Apachi Motorcycle bearing Registration No.BR26L-3439, one bag, containing 50 pouches of 200 ml. country made liquor, was recovered. On search of another Apachi Motorcycle bearing Registration No.BR26Q-0688, one bag, containing 300 pouches of 200 ml. country made liquor, was recovered whereas from another Apachi Motorcycle bearing Registration No.JH030-4046, one bag, containing 257 pouches of 200 ml. country made liquor, was recovered. On query, the apprehended accused Deepak Kumar disclosed the name of the persons, who were sitting on Apachi Motorcycle bearing Registration No. BR26Q-0688, as Chhotu Sao and Rahul Mehta and the name of the person, who was riding Apachi Motorcycle bearing Registration No.JH030-4046 as Raja Singh (petitioner). The persons, who were coming on Maruti Suzuki Swift Dezire



four wheeler vehicle, succeeded to flee away, leaving the said vehicle.

Learned counsel for the petitioner submits that the petitioner was not apprehended on the spot rather his name has come in the confessional statement of the apprehended accused Deepak Kumar. Further submission is that the petitioner has no concern either of any of the seized motorcycles or four-wheeler vehicle. The petitioner 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-VII-cum-Special Judge (Excise), Aurangabad, in connection with Aurangabad Muffasil P.S. Case No.171 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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