

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60519 of 2019

Arising Out of PS. Case No.-98 Year-2019 Thana- SAKRA District- Muzaffarpur

1. SANJAY KUMAR SINGH, aged about 45 years, Male, Son of Late Kailash Singh, Resident of Village-Rampur Bhasaun, P.S.-Sakra, District-Muzaffarpur
 2. Guddu Singh, aged about 35 years, Male, Son of Abdhesh Singh @ Awadhesh Singh, Resident of Village-Rampur Bhasaun, P.S.-Sakra, District-Muzaffarpur
 3. Lal Babu Singh, aged about 46 years, Male, Son of Late Ganga Singh, Resident of Village-Rampur Bhasaun, P.S.-Sakra, District-Muzaffarpur
- ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Hari Kishore Thakur, Adv.

For the Opposite Party : Mr. Syed Ehtashamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Sakra P.S. Case No. 98 of 2019 for the offences alleged under Sections 147, 148, 149, 114, 115, 341, 323, 353, 427, 504, 506, 272 and 273 of the Indian Penal Code and 30(A), 35(A), 39(II) and 41 of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information about carrying the liquor loading on the truck by liquor business man, Bhushan Rai, Rajesh Sah, Damodar Rai and some others in village Rampur, near petrol pump, informant, along with



other police officials reached there. On seeing the vehicle of police party, the persons, present there, started to flee away taking the advantage of darkness, but, in the light of vehicle, out of them, Bhuvan Rai, Rajesh Sah and Damodar Rai were identified. The vehicles, which were parked there, searched and from the truck 69 cartons, each containing 48 bottles of 180ml, from maruti car 10 cartons, each containing 24 bottles of 375 ml and from another maruti car 2 cartons, each containing 12 bottles of 750 ml of Indian made foreign liquor recovered. The informant and other police officials proceeded from there, then, in the way five persons named in the first information report and some unknown started to create nuisance in discharge of official duty and damaged the police jeep through lathi and stick.

The submission of the learned counsel for the petitioners is that it would appear from the first information report that all the petitioners were not found at the place of occurrence from where alleged liquor is said to be recovered rather allegation against the petitioners is that in course of returning they created nuisance in discharge of official duty. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of



surrender/arrest, within a period of four weeks from today, in connection with Sakra P.S. Case No. 98 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Act, Muzaffarpur, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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