

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61713 of 2019

Arising Out of PS. Case No.-269 Year-2018 Thana- DALSINGHSARAI District- Samastipur

JAGDISH DAS, S/o- Natho Das R/V- Rampur Jalalpur, P.S.- Dalsingsarai,
District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Pramod Kumar Pandey

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

ORAL ORDER

2 14-10-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Dalsingsarai P.S. Case no. 269 of 2018, registered under
Sections 272, 279 of the Indian Penal Code and Section 30(a)
41(1) of the Bihar Prohibition and Excise Act.

The accusation is that in course of patrolling duty,
the informant and other Police officials saw three persons
boarding on motorcycle. The informant gave signal to stop the
motorcycle then they started to flee away, but one person was
apprehended, who was driving the motorcycle, disclosed his
name Saurav Kumar @ Saurav Suman. The apprehended
person also disclosed the name of his two associates, who
succeeded to flee away. On search of sack loaded on



motorcycle, 13 bottles, each containing 375 ML, Indian made foreign liquor recovered. The apprehended person co-accused Saurav Kumar also disclosed that he used to do business of selling of illicit liquor along with his associates.

Learned counsel for the petitioner submits that, in fact, petitioner is the owner of the seized motorcycle and the same was taken by his relative co-accused Saurav Kumar showing his personal urgent works. The petitioner had no knowledge about carrying of illicit liquor. The petitioner has no criminal antecedent.

Having regard to 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 four 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 the learned Addl. Sessions Judge-II-cum-Special Judge (Excise), Samastipur in connection with Dalsingsarai P.S. Case No. 269 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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