

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62323 of 2019

Arising Out of PS. Case No.-235 Year-2019 Thana- BRAHMPUR District- Buxar

KARIYA SAH @ MANOJ SAH, Son of Late Saral Sah Resident of Village -
Chakki laxaman Dera, P.S.- Brahmpur (chakki O.P), Distt - Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Tapeshwar Sharma

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

ORAL ORDER

2 15-10-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Brahmapur (Chhaki O.P) P.S. Case no. 235 of 2019,
registered under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016

The accusation is that on receiving the secret
information about unloading the liquor at Laxman Dera from
Scorpio vehicle by petitioner Kariya Sah @ Manoj Sah,
Chhabila Yadav, Gupteshwar Rai, Mantosh Yadav and Chandan
Singh, the informant along with other Police personnel reached
there. On seeing the Police party, 5 to 6 persons started fleeing,
while attempt was made to caught hold, but they succeeded to
flee away with the Bolero and Scorpio vehicle, but one
motorcycle bearing registration No. BR44J-6220 was
recovered. The local Chowkidar identified the aforesaid



persons in the light of torch. On search, 21 cartons, each containing 48 bottles and six bags, each containing 96 bottles of 200 ML Indian made foreign liquor recovered.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that petitioner was neither apprehended on the spot nor the petitioner is owner of the seized motorcycle. Further submission is that petitioner has falsely been implicated in this case by the local Chowkidar due to dirty village politics. 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 Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Buxar in connection with Brahmpur P.S. Case No. 235 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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