

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65515 of 2019

Arising Out of PS. Case No.-281 Year-2019 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

Sanjay Kumar Singh, aged about 56 years (Male) Son of Rajarishi Singh,
Resident of Village-Ward No.9, Madhaul, P.S.- Ratnawli, District- Sitamarhi.
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sunil Kumar Pathak, Advocate
For the Opposite Party : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-11-2019 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest for the offences
alleged under under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016 registered in connection with Kazi Mohammadpur
P.S. Case No. 281 of 2019.

The allegation against the petitioner, as per the written
report of the Sub-Inspector of Police, is that the police got
information that a person was selling foreign liquor on the motor
cycle in the campus of I.T.I, Gannipur on the basis of which the
police personnel arrived there and on seeing the police party, the said
person started fleeing away after leaving his motor-cycle. On search
of the said motor-cycle, the police recovered a bag stashed with two
bottles of foreign liquor containing 375 ml liquor.

Learned counsel for the petitioner submits that no
recovery of the foreign liquor has been made from conscious



possession of the petitioner but recovery has been made from the motor-cycle which was bought by the petitioner from his relative and his co-villager took the motor-cycle without his knowledge and parked in I.T.I campus. He further submits that the petitioner is merely said to be the owner of the motor-cycle. The petitioner has no criminal antecedents.

In the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise Muzaffarpur in connection with Kazi Mohammadpur P.S. Case No. 281 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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