

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79972 of 2018

Arising Out of PS. Case No.-401 Year-2018 Thana- MASHRAK District- Saran

Ashok Sah son of Yogendra Sah, resident of village- Dumarshan, Police Station- Masrakh, District- Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai

For the Opposite Party/s : Mr.Smt. Meena Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 10-01-2019 Heard both sides.

Petitioner apprehends his arrest in Masrakh P.S. Case No.401 of 2018 registered under Sections 467, 468, 471 and 120(B) of the Indian Penal Code as well as under Sections 30, 30(a), 38 and 41 of the Bihar Prohibition and Excise Act.

The informant alleged that on secret information, he intercepted a Honda City Car bearing Registration No.HR29R-7856 and Truck bearing Registration No.UP70TC-4314. Two persons were sitting in the car and disclosed their names as Talim and Asif. On search 20 cartons containing beer were recovered from the dickey of the car. On their disclosure, huge quantity of liquor was recovered from the truck. The apprehended accused disclosed the name of the petitioner.

Learned counsel for the petitioner submits that the



petitioner has no manner of concern with the consignment. Petitioner has got no criminal antecedent and nothing has been recovered from the house of the petitioner. The petitioner was not found running any shop.

Taking into consideration the facts that name of the petitioner figured in the case in the disclosure made by the persons who were sitting in the Honda City Car from which 20 cartons of beer were recovered but no further tangible evidence is collected against the petitioner and petitioner has got no criminal antecedent, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 6th Additional Sessions Judge-cum-Special Judge (Excise), Chapra, District Saran in connection with Masrakh P.S. Case No.401 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

S.KUMAR/-

U		T	
---	--	---	--

