

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66580 of 2019

Arising Out of PS. Case No.-152 Year-2017 Thana- AMBA District- Aurangabad

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LADALE HASAN Son of Mumtaz Quraishi Resident of Village Shahpur,
P.S.- Chainpur, District- Palamu (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad

For the Opposite Party/s : Mr.Rina Sinha

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

ORAL ORDER

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

The petitioner apprehends his arrest in connection
with Amba P.S. Case No.152 of 2017/G.R. No.1491 of 2017
registered under Sections 30(A) and 38 of the Bihar Prohibition
and Excise Act, 2016.

The accusation is that in course of checking of the
vehicle by the informant along with other police personnel, one
tempo bearing Registration No.JH03J-6509 was stopped on
which two persons, namely, Umesh Kumar and Vinay
Chaudhary, were found sitting. On search of the said tempo,
160 pouches, each containing 200 ml. country made liquor, were
recovered.



Learned counsel for the petitioner submits that, in fact, the petitioner is the owner of the seized tempo but the same was sold to one Uday Kumar, full brother of co-accused Vinay Chaudhary, son of Gopal Chaudhary, resident of village-Kabisa, Post-Moti Bandh, P.S. Dumariya, District-Gaya (Bihar) on 17.03.2017 on payment of Rs.78000/- and paper was also prepared in this regard but, unfortunately, the name of the purchaser was not transferred in the owner-book. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-VII-cum-Special Judge Excise, Aurangabad, in connection with Amba P.S. Case No.152 of 2017/G.R. No.1491 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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