

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69643 of 2019

Arising Out of PS. Case No.-357 Year-2018 Thana- DARIYAPUR District- Saran

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Balraj Goel, Son of Late Som Prakash Goel Director, Reva Industries Limited, Plot No.28, Sector-25, Ballabgarh, P.S.- N.H.5, N.I.T. Faridabad, Hariyana.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Babita Kumari

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with Dariyapur P.S. Case No.357 of 2018, for the offence punishable under Sections 30, 30(a), 38, 41 of the Bihar Prohibition & Excise Act, 2016.

The prosecution story as per the First Information Report is that red colour DCM vehicle was intercepted by the police and five persons were sitting inside the vehicle were arrested and a total quantity of 2557 litres of illicit liquor was recovered from the said vehicle. The name of the petitioner has transpired in this case on the basis of the fact that the vehicle was earlier registered in the name of company M/s Reva



Industries Ltd. and the petitioner was Managing Director of the company.

Mr. Ajay Thakur, learned counsel appearing for the petitioner submits that the petitioner has unnecessarily been dragged in this case merely on the basis of the fact that he happens to be the Managing Director of a company which had purchased the said DCM vehicle in the year 2008. Learned counsel further submits that the said vehicle was subsequently sold by the company in favour of one Gopal Kaushal, son of Sri Omkar Nath, in the year 2017 and the money has been transferred in the account of the company by the purchaser, as would be evident from Annexure-2 series. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession or the vehicle belonging to the petitioner. Learned counsel further submits that one co-accused, Upendra Rai, has been granted bail by this Court in Cr.Misc. No.78605 of 2008 on 10.01.2019. Learned counsel further submits that in the First Information Report, name of the owner of the vehicle is mentioned which is Amit Singh.

Having regard to the submissions made by the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession or the vehicle



belonging to the petitioner inasmuch as present owner of the vehicle is some other persons, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-cum-A.D.J.-XI, Saran, in connection with Dariyapur P.S. Case No.357 of 2018, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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