

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73048 of 2019

Arising Out of PS. Case No.-290 Year-2019 Thana- BAHADURGANJ District- Kishanganj

MOHAN LAL BASAK @ BHODA S/o Late Motilal Basak R/o village-
Palasmani, P.S.- Bahadurganj, District- Kishanganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh

For the Opposite Party/s : Mr.Surendra Kumar

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

ORAL ORDER

2 21-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Special Case No. 374 of 2019, arising out of Bahadurganj
P.S. Case No. 290 of 2019, registered under Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of patrolling duty
one motorcycle without registration number was seen on which
a sack was loaded and two persons were present there. On
giving signal for checking of the motorcycle, both persons
started fleeing, but, out of them one person was apprehended,
who disclosed his name Shamsah Alam. On search, 79 bottles,
each containing 180 ML Indian made foreign liquor recovered
kept in sack and 3 bottles, each containing 750 ML, Indian



made foreign liquor recovered from the dickey of the motorcycle. The apprehended person also disclosed the name of his associate Mohan Lal Basak @ Bhoda (Petitioner).

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot, rather, his name surfaced in the confessional statement of co-accused Shamsh Alam, who was apprehended near the motorcycle from which the alleged liquor seized. 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. District & Sessions Judge-II-cum-Special Judge (Excise Act), Kishanganj in connection with Bahadurganj P.S. Case No. 290 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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