

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78858 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- DURAULI District- Siwan

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Arun Kumar Singh (Male), aged about 40 years, S/o Shyam Narayan Singh
R/o Village- Rajpur, P.S.- Raghunathpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Kumar

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Darauli P.S. Case No. 40 of 2019 registered for offences under sections 272, 273 of the Indian Penal Code and Section 30(a), 38(1), 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, two persons on Hero Splendor Motorcycle were coming towards Darauli Bazar keeping two plastic bags between them. The police intercepted the motorcycle and recovered 41.320 liters of illicit liquor. One of the riders was the son of the present petitioner.

Learned counsel for the petitioner submits that the petitioner had no knowledge about transportation of the liquor. Merely, he is the owner of the vehicle and his son had taken



away the motorcycle to go along with his friend.

Looking to the quantity of liquor recovered as also considering the entire facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge II – cum – Special Judge Excise, Siwan in connection with Darauli P.S. Case No. 40 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled. It is also made clear that if the petitioner is repeats the similar offence in future, the prosecution will be at liberty to file an application for cancellation of the bail.

(Shivaji Pandey, J)

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