

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.79214 of 2018

Arising out of P.S. Case No.325 Year 2018 Thana DURGAWATI District Bhabhua (Kaimur)

1. Vivek Kumar Singh @ Golu Singh, Son of Satyendr Bahadur Singh,
 2. Vikash Kumar @ Banti Singh, Son of Satyendr Bahadur Singh,
 3. Raushan Singh @ Ghanshyam Singh, Son of Pawan Singh,
 4. Om Singh @ Vikash Kumar Singh, Son of Jageshwar Singh,
- All are Resident of Village- Darauli, P.S.-Durgawati, District- Kaimur (Bhabua).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Sunil

For the Opposite Party/s : Mr. Arbind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-01-2019 Heard both sides.

Petitioners apprehend their arrest in Durgawati P.S.

Case No.325 of 2018 registered under Sections 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

The informant, ASI of Durgawati police station alleged that he got secret information that Vivek Kumar Singh, Vikash Kumar @ Banti Singh, Raushan Singh and Om Singh all the four petitioners had brought a Maruti vehicle bearing Registration No. UP65GT-2409 with huge quantity of liquor and on such raid was conducted. The aforesaid vehicle was recovered. 12 cartons each containing 48 plastic bottles of Bombay Special Whiskey were recovered from the vehicle.

Learned counsel for the petitioners submits that the



ASI, informant of the case, named the petitioners but he did not disclose the source of his information. The informant did not find any material against the petitioners to show that the petitioners had brought the vehicle with liquor.

Considering the facts that the informant although named the petitioners but there appears no material to show that the petitioners had brought the vehicle with liquor and parked by the side of N.H.2 and the fact that the petitioners have got no concern either with the vehicle or the recovered whiskey, let petitioners, above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge (Excise), Kaimur (Bhabua) in connection with Durgawati P.S. Case No.325 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

S.KUMAR/-

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

