

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3023 of 2019

Arising Out of PS. Case No.-175 Year-2018 Thana- PACHRUKHI District- Siwan

Mausam Kumar S/o Nagina Sah Resident of Village- Daroga Hata, Police
Station- Mahadewa O.P., District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-01-2019 Heard both sides.

The petitioner apprehends his arrest in Pachrukhi P.S.
case No. 175 of 2018 registered under Section 272, 273 of the
Indian Penal Code and under Section 30(a) of Bihar Prohibition
& Excise Act.

The police intercepted a motor cycle and arrested
Gopal Sah. Two persons, namely, Mukesh Kumar and Anil
Mahto managed to flee away. Four liters of country made liquor
was recovered from the dicky of the motor cycle.

The learned counsel for the petitioner submits that
petitioner is owner of the motor cycle bearing registration No.
BR29AB-7119. Gopal Sah, brother of the petitioner, was driving
the motor cycle. The petitioner was not present at the place of
occurrence. The petitioner is made accused only because owner



book of the motor cycle was standing in the name of petitioner.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Siwan, in connection with Pachrukhi P.S. Case No. 175 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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