

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81099 of 2019**

Arising Out of PS. Case No.-470 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Mahadev Kumar @ Murari Kumar, Son of Shri Daya Shankar Singh @ Doku,
Resident of Village- Hanumangarhi, P.S.- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Babita Kumari

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

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

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 414, 120B/34 of the Indian Penal Code, 1860 and Sections 30(a)/41 of the Bihar Prohibition and Excise, 2016 read with Amendment Act of 2018.

The prosecution is as per the written report of Ambika Prasad, Sub-Inspector of Police, Begusarai Muffasil Police Station submitted to Station House Officer of Begusarai Muffasil Police Station is to the effect that that on 07.09.2019 on the secret information, a raid was conducted and one truck and pickup van were intercepted from which total 4370.190 litres of Indian Made Foreign Liquor was recovered. The local



people suggested the name of five persons who were involved in trafficking of illicit liquor. The petitioner was one of them.

It is submitted by learned counsel for the petitioner that the petitioner has no concern with the vehicle in question, statement to that effect has been made in paragraph 8 of the petition, which reads as follows:-

“.....petitioner has got no concern with either of the two vehicles. Neither he is the owner or the driver nor he has got any concern with the aforesaid two vehicles.”

A statement has been made in paragraph 3 of the petition that the petitioner is accused in one another case of similar nature in which he is on bail but statement to that effect has not been made in the petition.

Learned APP submits that the local people suggested the name of the petitioner.

Considering the fact that the recovery has not been from conscious physical possession of the petitioner, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. 2nd cum Special Judge, Excise Act, Begusarai in connection with



Begusarai Muffasil P.S. Case No. 470 of 2019, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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