

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3687 of 2020

Arising Out of PS. Case No.-239 Year-2018 Thana- GOH District- Aurangabad

Arjun Sahu S/O Yogendra Sahu Resident Hethu (Hatra), P.S. - Hundru
(Ranchi), District - Ranchi (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey
For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 10-06-2020 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Goh P.S. Case No. 239 of 2018 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 and Section 420 of the I.P.C.

As per prosecution case, 600 liters spirit is said to have been recovered from a Safari vehicle and driver of the said vehicle fled away after leaving the vehicle. Petitioner is owner of the said vehicle.

It is submitted on behalf of petitioner that petitioner is innocent and has committed no offence. In fact, the vehicle was being driven by his driver, who without knowledge or consent of petitioner, was carrying aforesaid spirit. Petitioner has no concern with the alleged recovery. Section 100 Cr.P.C. has not



been followed with respect to search and seizure. Petitioner has no criminal antecedent, as stated in paragraph – 3 of the petition.

Considering the aforesaid facts and circumstances, the bail application is allowed.

Let the above-named petitioner be enlarged on bail 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.-VII cum Special Judge (Excise), Aurangabad in connection with Goh P.S. Case No. 239 of 2018, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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