

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4830 of 2020

Arising Out of PS. Case No.-145 Year-2019 Thana- KHODAWANDPUR District- Begusarai

Randhir Kumar, Son of Yugal Kishore Mishra, Resident of Village - Akopur,
Ward No. 01, Post Office- Gopalpur, P.S.- Cheriya Bariyarpur, District-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 272, 273, 120B of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016, as amended by Amendment Act 8 of 2018.

The prosecution case as per the self statement of Shambhu Dayal Prasad submitted before the S.H.O., Chhorahi (O.P.) Police Station is to the effect that on 17.07.2019 at 11.00 P.M., during night patrolling, after having received a secret information with regard to transport of illicit liquor, a raid was



laid and from a Tata 407 pickup van and a Piaggio vehicle, total 1833.12 litres of Indian Made Foreign liquor were recovered. A motorcycle was also seized from the place of seizure, leading to registration of FIR against the owner of the aforesaid three vehicles.

It is submitted by learned counsel for the petitioner that admittedly the said recovery has not been made from the conscious physical possession of the petitioner, rather, the said recovery has been made from the aforesaid two vehicles and the petitioner has no concern with the vehicles in question. A statement to that effect has been made in paragraph no.8 of the petition. The name of the petitioner subsequently sprang up during investigation. It is further submitted that though the petitioner is accused in two other cases apart from the present case, but in these cases cases, he is on bail. A statement to that effect has been made in paragraph no.3 of the petition.

Learned APP for the State submits that the name of the petitioner transpired during investigation.

Considering the statement made in paragraph no.8 of the petition to the effect that the petitioner has neither any concern with the alleged seized liquor or the vehicles in question from which the illicit liquor is alleged to have been



recovered, 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 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ-II-cum-Special Judge (Excise), Begusarai, in connection with Khodawandpur (Chhaurahi O.P.) P.S. Case No.145 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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