

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5078 of 2020

Arising Out of PS. Case No.-237 Year-2019 Thana- HASANPUR District- Samastipur

MD. RABBAN, Son of Md. Rajaak Resident of Village - Hasanpur Bazar,
P.S.- Hasanpur, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhimanyu Sharma

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 10-06-2020 Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection with Hasanpur P.S. Case no. 237 of 2019, registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving information about unloading the illicit liquor by Md. Irfan from Pick-up van in village-Hasanpur Bazar, the informant along with other Police personnel reached there. On seeing the Police party, 4-5 persons near the Pick-up van tried to flee away, but, on chase, one person was apprehended, who disclosed his name Md. Tetar Mian and he also disclosed the name of his two associates Md. Irfan and Md. Rabban (Petitioner), but he was unable to disclose the name of driver and khalasi of the vehicle. On search of Mahindra Bolero Pick-up van bearing registration No. JH-02H-2069, 44 cartons each containing 24 bottles of 375



ML Indian made foreign liquor recovered. The apprehended person also disclosed that the alleged liquor was being carried by Md. Irfan and Md. Rabban (Petitioner).

Learned counsel for the petitioner submits that the petitioner was not apprehended on the spot, rather, his name surfaced in the confessional statement of co-accused Md. Tatar Mian, who is co-villager of the petitioner. Further submission is that petitioner has not criminal antecedent and he is not the owner of the vehicle from which the alleged liquor is said to be recovered.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four 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 Addl. Sessions Judge-II-cum-Special Judge, Excise, Samastipur in connection with Hasanpur P.S. Case No. 237 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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