

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5437 of 2020

Arising Out of PS. Case No.-168 Year-2018 Thana- AKBARPUR District- Nawada

Sitendra Rajbhar, Son of Hari Nath Ram Rajbhar, Resident of Village-House No. F/58, Shiv Durga Vihar, Lakrpur, Police Station-Suryakund, District-Faridabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Advocate.

For the Opposite Party/s : Mr.Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 16-07-2020 Heard learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State through Video Conferencing.

The petitioner apprehends his arrest in connection with Akbarpur P.S. Case No. 168 of 2018, registered under Section 30(a) of the Bihar Excise Act, 2016.

The accusation is of recovery of several bottles kept in different cartons of Indian made foreign liquor in the volume of 4077 litres from a truck bearing registration no. BR-06GB-3265. The local Chowkidar disclosed that Gajadhar Manjhi, Bisheshwar Manjhi and Bateshwar Manjhi were indulged in the illicit liquor business.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR but in course of investigation,



police apprehended one Tishu Singh and on verification, the mobile number of the petitioner and one Kamaljit Singh @ Kamal Ji were found saved in the mobile of Tishu Singh due to that reason, petitioner has been implicated in the present case mere on suspicion. Further submission is that co-accused, Kamaljit Singh @ Kamal Ji has already been granted privilege of pre-arrest bail by this Court vide order dated 03.02.2020 passed in Criminal Misc. No. 2542 of 2020. Further submission is that petitioner is neither the owner nor the driver of the alleged truck and petitioner has no criminal antecedent.

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 six 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 Additional Sessions Judge-II-Cum-Special Judge, Nawada, in connection with Akbarpur P.S. Case No.168 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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