

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10821 of 2020

Arising Out of PS. Case No.-281 Year-2017 Thana- SARAIYA District- Muzaffarpur

SHAMBHU SINGH Son of Sitaram Singh Resident of Village-Sakmohan,
P.S.-Bibhutipur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-03-2020 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending arrest in connection with Saraiya P.S. Case No. 281 of 2017 for the offence under Sections 272, 273, 414/34 of the Indian Penal Code and Section 30(a) of the Bihar Excise and Prohibition Act, 2016.

Allegation against the petitioner is that in the instant case approximately 45 litres liquor was seized from the car which belongs to this petitioner.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent and the he has handed over his car to one Bipin Kumar for carrying his relative for treatment who was suffering from paralytic attack. He was unaware of the fact that his car may be used for carrying liquor. He further submits that except the fact that the petitioner is the



owner of the vehicle, there is no material to connect the petitioner for commission of any offence.

Considering the fact that petitioner has no criminal antecedent and nothing was recovered from his conscious and immediate possession, the Court is inclined to grant bail to the petitioner, in the event of arrest or surrender within four weeks from today, on furnishing bail bond of Rs.50,000/- (Fifty thousand) with two sureties of the like amount each to the satisfaction of Special Judge (Excise), Muzaffarpur in connection with Saraiya P.S. Case No. 281 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In the event in future, if the petitioner is found to be involved in any such activities, the Court below shall be at liberty to cancel his bail bonds.

(Anil Kumar Upadhyay, J)

Rishi Kumar/-

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