

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11792 of 2020

Arising Out of PS. Case No.-433 Year-2019 Thana- SARAI District- Vaishali

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Bipin Singh @ Vipin Singh Son of Ramji Singh Resident of Village - Mahua
Singh Rai, P.S. - Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandeep Jha, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-06-2020 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Sarai P.S. Case no. 433 of 2019 registered under section 414 of the Indian Penal Code and sections 30(a) and 35(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, it is stated that on information having been received a truck was stopped and on checking 4455 litres of IMFL was recovered and the driver was taken into custody. It is further stated that on being questioned the driver took the name of eight other accused persons including the petitioner herein and stated that they had come near the vehicle to take the liquor but ran away on seeing the police.

It is submitted by learned counsel for the petitioner that except for the statement of a co-accused made before police, there is no other material against him. Neither any recovery has taken place from his person or possession nor is he owner of the said truck. It is further submitted that the petitioner has no



criminal antecedent.

The application for bail is opposed by learned Additional PP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case especially the fact that petitioner is neither the owner of the truck nor does he have any criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Sarai P.S. Case no. 433 of 2019 will be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Excise Court, Hajipur, Vaishali subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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