

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14186 of 2020

Arising Out of PS. Case No.-654 Year-2019 Thana- MAHUA District- Vaishali

SUMEET KR. SINGH @ CHANDAN SINGH @ SUMIT KUMAR S/o
Phulendra Singh Resident of Village- Mahua Singh Ray, P.S.- Mahua, Distt-
Vaishali.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Arun, Advocate.
For the State : Ms. Asha Devi, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 29-06-2020 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 Mahua Police Station Case No.654 of 2019 registered under Sections 414/120B of the Indian Penal Code besides Sections 30(a), 32(ii), 34(ii), 38(ii) and 41(i) of the Bihar Prohibition and Excise Act, 2018.

The accusation is that on receiving the secret information about carrying the illicit liquor loading on a truck bearing Registration No.RJ06GA-6569, the informant along with other police personnel intercepted the aforesaid truck but, at that time, some persons after getting down from the aforesaid truck started to flee away. While they were chased but they



taking the advantage of the darkness of the night succeeded to flee away. In the light of the torch and dragon, five persons, namely, Manohar Rai, Chandan Singh alias Sumit Kumar (petitioner), Ramesh Rai, Rajiv Rai and Upendra Rai were identified. 3-4 unknown persons were also along with the aforesaid five persons. On search of the aforesaid truck, several bottles, kept in different cartoons, of Indian Made Foreign Liquor in the volume of 4365 liters were recovered.

Learned counsel for the petitioner submits that the petitioner was not apprehended on the spot rather the petitioner along with others are said to be identified by the informant, who is the Officer Incharge of Mahua Police Station in the torch and dragon light in the night. In fact, the informant of the present case had already lodged Mahua Police Station Case No.429 of 2019, as detailed in paragraph-3 to this application, of similar nature, against the petitioner, in which the petitioner has already been allowed the privilege of bail, due to that reason, the informant of the present case implicated the petitioner in the present case.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be



enlarged on bail on his furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the Additional Sessions Judge-II-cum-
Excise Court, Vaishali at Hajipur, in connection with Mahua P.S.
Case No.654 of 2019, subject to the conditions laid down under
Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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