

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74144 of 2019

Arising Out of PS. Case No.-237 Year-2019 Thana- BARUN District- Aurangabad

VISHWANATH PRASAD @ VISHWNATH PRASAD, aged about 58 years,
Male, Son of Late Nanhak Saw, Resident of Village - Siris, P.S.- Baroon, Distt
– Aurangabad ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Bhaskar Shankar, Adv.

For the Opposite Party : Mr. Kalyan Shankar, APP

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

ORAL ORDER

3 17-03-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks bail in connection with Barun
P.S. Case No. 237 of 2019, registered under Section 30(A) of
the Bihar Prohibition and Excise (Amendment) Act, 2018.

The accusation is that on receiving secret information
about carrying the liquor loading on the tempo towards
Aurangabad, the informant, along with other police personnel,
proceeded and reached in village Siris, near high school, then, a
tempo and a motorcycle were seen. When, signal was given to
stop the motorcycle and tempo, motorcycle started to flee away,
but, on chase, Mukesh Kumar, who was on motorcycle, was
apprehended. Mukesh Kumar disclosed the name of two
persons, who succeeded to flee away from tempo, Deepak
Yadav and this petitioner, Vishwanath Prasad. On search of



tempo, several pouches of country made liquor in volume of 180 liters recovered.

Submission is that in fact, the petitioner is the owner of the tempo, which is said to be seized by the police, but, the said tempo was given to Deepak Yadav to ply on fare on road. Further, submission is that while the petitioner is accused in Barun P.S. Case No. 30 of 2014, but, he is on bail in that case and in the present case he is in custody since 26.09.2019.

Having regard to the facts and circumstances of the case, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Barun P.S. Case No. 237 of 2019 to the satisfaction of the Additional Sessions Judge VII-cum-Special Judge, Excise, Aurangabad.

(Rajendra Kumar Mishra, J)

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