

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80965 of 2019

Arising Out of PS. Case No.-120 Year-2019 Thana- SAKRI District- Madhubani

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DINESH YADAV Son of Ram Saugarath Yadav Resident of Sapta, P.S.-
Rahika, District- Madhubani.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

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Appearance :

For the Petitioner : Mr. Ravindra Kumar Singh, Advocate.
For the State : Mr. Atul Chandra, A.P.P.

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

ORAL ORDER

4 24-06-2020 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
Sakri P.S. Case No.120 of 2019/G.R. No.1263 of 2019
registered under Sections 272 and 273 of the Indian Penal Code
besides Sections 30(a), 38(i) and 41(i) of the Bihar Prohibition
and Excise Act, 2016.

The accusation is that on receiving the information
about carrying the liquor loading on a truck behind which two
more vehicles are also going on, the informant along with other
police personnel reached at Sitapur Sarai Sagarpur, then saw a
truck, pickup van and Tata Sumo vehicle in parking condition
behind the house of Ram Bilash Paswan, where 5-6 persons



were indulged in unloading the cartoons of liquor from the truck and keeping the same into small vehicle. On seeing the police party, the aforesaid persons started to flee away but, on chase, two persons were apprehended, who disclosed their name as Bharat Kumar and Pramod Kumar Mahto. On search of the vehicles, 13164 bottles of Indian Made Foreign Liquor, kept in different cartoons, in the volume of 3949.740 liters, were recovered.

Learned counsel for the petitioner submits that petitioner is neither the owner nor the driver of the seized vehicles from which the alleged recovery is said to be made. After lodging of the present case, the informant managed to implicate the petitioner showing his name in the confessional statement of the caught hold persons along with others indulged in doing the business of illicit liquor. In fact, the petitioner is accused in one more case of similar nature, as detailed in paragraph-3 to this application, in which he is on bail, due to that reason, the informant managed to implicate the petitioner in the present case showing his name in the confessional statement of two caught hold persons.

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-Special Judge, Excise Act, Madhubani, District-Madhubani, in connection with Sakri P.S. Case No.120 of 2019/G.R. No.1263 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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