

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84237 of 2019

Arising Out of PS. Case No.-388 Year-2019 Thana- MASHRAK District- Saran

-
1. Rohit Kumar Singh, Son of Tarkeshwar Singh Residence of Village - Chainpur, P.S.- Masrakh, Distt.- Saran at Chapra
 2. Rahul Kumar Singh, Son of Tarkeshwar Singh Residence of Village - Chainpur, P.S.- Masrakh, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Sections 30, 30(a), 38 and 41 of Bihar Prohibition and Excise Act, 2016.

It is alleged that 74.250 litres of Indian Made Foreign Liquor were recovered from Maruti Suzuki Car. The petitioners are alleged to have escaped from the scene.

It is submitted by learned counsel for the petitioners that the recovery has not been made from conscious physical possession of the petitioners and the vehicle in question does not



belong to the petitioners, statement to that effect has been made in paragraph 9 of the petition, which reads as follows:-

“That allegation against the petitioners that 74.250 ml. of the english wine has been recovered from the Car but, said car is not belonging to the petitioners.”

It is further submitted that the petitioners are not having any criminal antecedent, statement to that effect has been made in paragraph 3 of the petition.

Learned APP submits that the petitioners managed to escape from the scene on arrival of the police.

Considering the fact that the specific statement has been made by the petitioners that the vehicle in question does not belong to them from which recovery has been made and statement being made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Saran at Chapra in



connection with Mashrakh P.S. Case No. 388 of 2019, subject
to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

