

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86118 of 2019

Arising Out of PS. Case No.-197 Year-2019 Thana- NAUTAN District- Siwan

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Karn Kumar @ Karan Kumar Singh aged about:- 40 years (M) S/O - Babu Saheb Singh, Resident of village:- Sarawe, P.S.- Siwan Muffasil, District - Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mrs.Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Nautan P.S. Case No. 197 of 2019, registered for the offence punishable under Section 30(a)/41(1) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner as per the First Information Report is that one tractor was intercepted by the Police and the Police found that two persons were sitting including the driver upon the same. On search Police recovered a total quantity of 02 liters of illicit country made liquor from the tractor in question. The Police apprehended two accused persons including the driver sitting on the tractor.

Mr. Ajay Kumar Pandey, learned counsel appearing for the petitioner submits that petitioner has merely been made accused in this case on the basis of the fact that he happens to be the owner of the tractor. Learned counsel further submits that in



fact the driver had taken the tractor of the petitioner for some work and without the consent or permission of the petitioner illicit liquor was kept by the driver and others upon the tractor. Learned counsel further submits that no illicit liquor has been recovered from his conscious possession.

Having heard learned counsel for the parties and taking into consideration the fact that the driver was driving the tractor belonging to the petitioner and no illicit liquor has been recovered his conscious possessions, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks from the date of receipt of a copy of this order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge II cum Special Judge Excise, Siwan in connection with Nautan P.S. Case No. 197 of 2019, subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

praful/-

(Anil Kumar Sinha, J)

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