

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31423 of 2021

Arising Out of PS. Case No.-126 Year-2020 Thana- SONBERSA District- Sitamarhi

Nagendra Singh @ Babu Saheb, Son Of Late Ganga Singh, R/O Village-
Mahilvar, P.S.- Khajni, District- Gorakhpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar- Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-10-2021 Heard Mr. Saroj Kumar, the learned Advocate for the

petitioner and Mr. Ashok Kumar Singh, the learned APP for the

State.

The petitioner seeks bail in anticipation of his arrest in connection with Sonbarsa P. S. Case No.126 of 2020, instituted for the offences under Sections 414, 420, 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation in the F.I.R. is that few of the persons were arrested on suspicion of unloading consignment of liquor from a truck. Some of the arrested accused persons are said to have named the petitioner also along with others.

The learned Advocate for the petitioner has submitted that neither the vehicle which was seized belongs to him nor he



has any connection with the seized liquor.

The petitioner does not have criminal antecedent.

On the basis of these facts, it has been urged that the offence under the Excise Act cannot at all be said to have been made out against the petitioner.

Regard being had to the facts afore-stated, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum-Special Judge (Excise), Sitamarhi in connection with Sonbarsa P. S. Case No.126 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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