

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32151 of 2020

Arising Out of PS. Case No.-17 Year-2020 Thana- BARHIYA District- Lakhisarai

AMARJEET SINGH Son of Kulwant Singh Resident of Village - Ward
No.14, near Ambedkar Chowk, Ellenabad, P.S.- Sirsa, Distt.- Sirsa, Haryana.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Ms. Babita Kumari, Advocate.

For the State : Mr. Ganesh Prasad Singh, A.P.P.

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

ORAL ORDER

3 12-03-2021 As prayed for, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 27.11.2020, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Barahiya P.S. Case No.17 of 2020 registered under Sections 30(a), 38 and 41 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The accusation is of recovery of several bottles of Indian Made Foreign Liquor in the volume of 5438.160 liters from the truck bearing Registration No.RJ19GB-8451. At that time, two persons were apprehended, who disclosed their name as Krishnapal and Rahul Kumar, the driver and cleaner respectively of the said truck.



Learned counsel for the petitioner submits that the petitioner is the owner of the seized truck from which the alleged recovery of the bottles of the Indian Made Foreign Liquor is said to be made. In fact, the truck of the petitioner was being run in the Transport Company and the same was being driven by Krishnapal. The petitioner had no knowledge about loading the bottles of liquor on his truck by the driver and the cleaner, who were apprehended on the spot.

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), Lakhisarai, in connection with Barahiya P.S. Case No.17 of 2020, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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