

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36430 of 2020

Arising Out of PS. Case No.-251 Year-2020 Thana- PIPRA District- East Champaran

SHAMSHER SINGH Son of Mehtas Singh Resident of Village- Gandhara,
P.S.- Sapla, District- Rohtak (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr. T.N.Thakur, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-02-2021 Heard learned counsel for the petitioner and learned APP for the State. Learned counsel for the petitioner has filed an undertaking to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The petitioner is in custody since 16.07.2020 in connection with Pipra P.S. Case No. 251 of 2020 for the alleged offences under Sections 272, 273, 120(B) of the Indian Penal Code and Section 30(a), 36, 41(1) of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 4244 litres of I.M.F.L. from an oil tanker bearing Registration No. HR-38T-2447. It is submitted that the petitioner is not the owner of the vehicle and the goods being transported in the vehicle were owned by co-accused Vikash meant for delivery to Gopal Singh and others. It is submitted that nothing has been recovered from the conscious possession of the petitioner, who claims clean antecedents.



4. Learned APP appears and opposes the petition stating that the petitioner was one of the drivers of the oil tanker and was apprehended at the spot.

5. Having regard to the nature of accusations, gravity of offence alleged and the quantity of liquor recovered from the oil tanker, this Court is not inclined to grant the privilege of bail to the petitioner. The petition stands dismissed.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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