

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3746 of 2020

Arising Out of PS. Case No.-145 Year-2019 Thana- KHANPURA District- Samastipur

DARSHAN SINGH Son of Bachchan Singh Resident of Village - 86 Chhaju Majra, P.S.- S.A.S Nagar, District - Mohali, Panjab. (Petitioner Owner of the Truck bearing Registration No. PB65AK-5925)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mrs.Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 26-08-2021 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

The petitioner is apprehending his arrest in a case registered under Sections 272, 273, 120(B) of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that altogether 961.07 liters wine is recovered from two vehicles.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired as being owner of the truck in question. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 623 liters wine is recovered from the truck in question and 338.04 liters wine is



recovered from the Bolero vehicle. The petitioner had no knowledge regarding the nature of goods booked by the transporter. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Additional Sessions Judge-2nd -cum- Special Judge, Excise, Samastipur in connection with Khanpur P.S. Case No. 145 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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