

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23962 of 2021

Arising Out of PS. Case No.-286 Year-2020 Thana- WARISLIGANJ District- Nawada

KUMUD SHEKHAR SINHA, Son of Rajendra Prasad Resident of Village -
Koeri Tola (Maira), Police Station - Katrisarai, District - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudish Kumar

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 13-01-2022 Heard Mr. Sudish Kumar, learned Advocate for

the petitioner and learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Warisaliganj P. S. Case No.
286 of 2020, instituted for the offences under Sections
30(a) and 41 of the Bihar Prohibition and Excise Act.

Two motorcycles were recovered from which
small quantities of liquor were recovered. One of the
motorcycles belongs to the petitioner.

Hence, his prosecution.

The learned Counsel for the petitioner has
submitted that prior to the lodging of the subject FIR, he



had sold the motorcycle to one Pappu Raut and an affidavit also was sworn by Pappu Raut and him that the vehicle has been sold and purchased accordingly.

The petitioner is a Government servant and is employed as an Engineer.

The recovery of liquor from the motorcycle, which earlier stood in his name, the petitioner cannot be saddled with any criminal charge.

The petitioner does not have criminal antecedents.

On these grounds, it has been urged that the offence under the Excise Act against the petitioner cannot be made out.

For the reasons afore-stated, the petitioner, above-named, in the event of his arrest or surrender before the court below within a period of six 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 Sessions Judge 1st
cum Special Judge, Nawada, in connection with
Warisaliganj P. S. Case No. 286 of 2020, subject to the
conditions laid down under Section 438(2) of the Cr.P.C.

This petition stands allowed.

(Ashutosh Kumar, J)

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