

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30027 of 2021

Arising Out of PS. Case No.-642 Year-2019 Thana- DEHRI TOWN District- Rohtas

1. AJAY SINGH @ AJAY KUMAR SINGH Son of Kameshwar Singh Resident of Village- Amarpur, P.O. and P.S.- Rajpur, District- Rohtas.
2. Satish Prasad Son of Sheojee Prasad Resident of Village- Nokha, Ward No. -10 P.O. and P.S.- Rajpur, District- Rohts.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 11-05-2022 Heard learned counsel for the petitioners and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Dehri (Town) P.S. Case no. 642 of 2019 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 864 cartoons having 7464.96 litres of IMFL from a truck bearing registration no. HR-74-4226 and 1123.20 litres of English wine from a Bolero Pickup Van bearing registration no. BR-26H-9864. The alleged Bolero pickup van belongs to the petitioner nos 2, of



which petitioner no. 1 was driver.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. In fact, the alleged Bolero vehicle had been stolen on 4.9.2019 and the FIR has been registered on 16.9.2019. In para 91 of the case diary, theft of bolero vehicle in question is mentioned therein. It is also submitted that at the time of occurrence, the vehicle in question was not in actual possession of this petitioner. On a written statement given before the police regarding theft of the vehicle, it was mentioned therein that petitioner no. 1 was the driver of the said vehicle.

Learned APP appearing for the State has opposed the prayer of Bail.

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Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Dehri (Town) P.S. Case no. 642



of 2019, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-2nd-cum-Special Judge, Excise, Rohtas at Sasaram,subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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