

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72034 of 2022

Arising Out of PS. Case No.-341 Year-2021 Thana- MANJHI District- Saran

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BHAG SINGH Son of Resham Singh Resident of Moh/Town/Village Machhli
Klan, P.S- Mohali Sahibjada Ajit Nagar, Distt-Rupnagar, State- Punjab.
(Owner of Vehicle)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baijnath Sah, Advocate.

For the Opposite Party/s : Mr. Gulnar Begum, APP.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 02-03-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

At the learned counsel for the petitioner seeks and is

granted permission to remove the defects in the course of the

day.

The petitioner is apprehending his arrest in connection

with Manjhi P. S. Case No. 341 of 2021 registered for the

offences punishable under Sections 272 and 273 of the Indian

Penal Code and Sections 30 (a), 38 and 41 of the Bihar

Prohibition and Excise Act.



As per the prosecution case, total 4389.375 litres of illicit foreign liquor was recovered from the truck bearing registration no. PB-11AX-9907, which was being driven by its driver, who was apprehended by the police. It is further alleged that the apprehended person disclosed the name of the petitioner as owner of the truck.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. No such occurrence as alleged has ever taken place. Nothing has been recovered from the conscious possession of the petitioner. The petitioner was not present at the place of occurrence. The said vehicle has been used for public carrier and the vehicle was driven by its driver. Learned counsel has further submitted that no case is made out against the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail petition of the petitioner.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of



the learned court concerned, Saran at Chapra in connection with
Manjhi P. S. Case No. 341 of 2021, subject to conditions as laid
down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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