

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32947 of 2024

Arising Out of PS. Case No.-111 Year-2024 Thana- District- Siwan

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Ram Singh S/O Babu Lal R/O Village - House No. 112, Rajeev Nagar, Dlf
Area, Sector 35, Amar Nagar, P.S. - Faridabad, District - Faridabad (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-05-2024 Heard Mr. Bijay Prakash Singh, learned counsel

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Siwan Excise P.S. Case No. 111 of 2024, registered for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise (Amendment) Act 2022.

3. The police in course of vehicle checking
intercepted a truck bearing registration no. HR38AC-4719. On
search total 450 litres of Indian Made Foreign Liquor was
recovered.

4. Learned counsel appearing on behalf of the
petitioner contended that the petitioner is a *bona fide* owner of
the seized truck in question and only on account of he being



owner of the said truck his name has been implicated in this case. It is further contended that the truck in question was being run by the manager and he was not even knowing as to what consignments were being loaded and dispatched; moreover the truck in question is already under the custody of the police It is lastly contended that there are other infirmities in the search and seizure. The petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation of the case and shall ensure his presence whenever and wherever is required.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the petitioner belongs to other state and once he would be released on bail there is a bleak chance of his appearance.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is the owner of the truck in question and there is no material on record suggesting that the consignment has been loaded with the consent of the petitioner, coupled with the fair antecedent and his undertaking before this Court that he shall ensure his presence as and when required in this case, let the petitioner above named be released on bail, in the event of his arrest or



surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. - II, Siwan in connection with Siwan Excise P.S. Case No. 111 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner and both the bailor shall furnish photocopies of Aadhar Card and their mobile numbers at the time of furnishing the bail bond.

(Harish Kumar, J)

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