

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42964 of 2015

Arising Out of PS.Case No. -243 Year- 2011 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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Harender Ray Son of Late Bhagwat Rai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh, Advocate

For the Opposite Party/s : Mr. Hirday Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 14-10-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 272, 273, 414/34 of the Indian Penal Code and 47a of the Excise Act.

The prosecution case is that six drums of spirit each containing 220 litres were seized when one Bhola Sahni was apprehended, who disclosed the name of co-accused Dhurendra Sahni and Manjeet Sahni. The FIR was lodged against Bhola Sahni, Manjeet Sahni and Dhurendra Sahni. The name of the petitioner subsequently sprang up as the owner of the seized pickup van.

It is submitted by learned counsel for the petitioner that the petitioner is simply owner of the public carrier and he was not

aware about the spirit being carried illegally by the driver. It is further submitted that the vehicle, in question, has been released in favour of the petitioner. Moreover, a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, East Champaran at Motihari in connection with Harsidhi P.S. Case No.243 of 2011, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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