

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28928 of 2016

Arising Out of PS.Case No. -31 Year- 2012 Thana -MOTIPUR District- MUZAFFARPUR

Dinesh Rai, S/o Raghunath Rai, Resident of village- Mahawalpur, P.S-
Motipur, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate

For the Opposite Party : Mr. S.K. Pandey (APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 01-09-2016 Heard learned counsel for the petitioner and learned counsel
appearing on behalf of the State.

The petitioner apprehending his arrest in connection with
Motipur P.S. Case No. 31 of 2012 registered for the offences
punishable under Sections 411 and 413 of the Indian Penal Code and
Section 47(a) of the Excise Act.

The allegation against the petitioner is that while he was driving
the vehicle, certain recovery of spirit was made.

Learned counsel for the petitioner submits that he is only the
driver of the vehicle in question and admittedly the said spirit
belongs to one Bishwanath Sah who has since been extended the
privilege of anticipatory bail in Cr. Misc. No.41809 of 2012 vide
order dated 02.01.2013. It is further submitted that being a driver the

petitioner was not aware of the pendency of the present case.

In view of the aforementioned facts and circumstances of the case and petitioner has no criminal antecedent, let the petitioner above named, 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, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, (West) Muzaffarpur in connection with Motipur P.S. Case No. 31 of 2012 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J.)

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