

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10745 of 2017

Arising Out of PS.Case No. -453 Year- 2016 Thana -BARAUNI District- BEGUSARAI

Mohan Kumar, S/o- Shri Sheo Kumar Singh, Resident of Village-
Adharpur, Post- Naya Nagar, P.S.- Teghara, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Pd. Singh

For the Opposite Party/s : Mr. Smt. Rita Verma

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 18-03-2017

Heard learned counsel for the petitioner and the
State.

The petitioner apprehends his arrest in Barauni
P.S. Case No. 453 of 2016 instituted for the offence under Section
(s) 30(A), 38(2), 41(1) of the Bihar Excise (Amendment) Act,
2016.

It has been submitted on behalf of the petitioner
that petitioner is owner of the vehicle in question. He was not
present on the spot. The said vehicle was given by the petitioner
on rent to Sahyogi Tour & Travels company and the said Sahyogi
Tour & Travels company handed over the said vehicle to the
Reliance Jio office, Begusarai. The said vehicle was used by



Ranjeet Kumar from 12.10.2016 to 16.12.2016 who was the Security Supervisor of Reliance Jio Office, Begusarai which is apparent from the logbook annexed as Annexure-1 of the I.A. No. 503 of 2017. It has also been submitted that Munna Kumar was the driver of the vehicle which is also apparent from Annexure-2 which is a certificate given by Ranjeet Kumar who was using the vehicle.

In the written report, it is mentioned that foreign liquor has been recovered from the Bolero vehicle and driver managed to run away.

In this manner, the petitioner was neither present on the spot nor he was using the vehicle on the relevant date as appear from Annexure-1 of the Interlocutory Application.

It has been mentioned in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstances of the case, the prayer of the petitioner for anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, above named, within six weeks from today in connection with Barauni P.S. Case No. 453 of 2016, G.R. No. 4077, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Begusarai, subject to the conditions as laid
down under Section 438(2) of Cr.P.C.

(Sanjay Priya, J)

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