

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 37616 of 2017

Arising Out of PS. Case No.-59 Year-2017 Thana- Muffasil District- Aurangabad

Pradeep Ram Son of Chandra Ram, R/o Village- Kasturi-Khap, P.S.- Padma,
District- Hazaribab (Jharkhand).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Smt. Pronati Singh

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

3. 22-11-2017 Heard Sri Bachan Jee Ojha, learned counsel for the
petitioner and Smt. Pronati Singh, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in
Aurangabad (Muffasil) P.S. Case No. 59 of 2017 registered for
offence under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016, has prayed for grant of bail in the event of his arrest
or surrender.

At the very outset, learned counsel for the petitioner has
drawn my attention to statement made in paragraph – 3 of the
petition to show that petitioner is having clean antecedent. He
further submits that save and except the fact that petitioner is
registered owner of the vehicle i.e. Sumo Victa, there is no other
material to connect the petitioner with the case. He submits that
the vehicle was taken by his driver and without knowledge or
consent of the petitioner, he alongwith one person was carrying



illegal liquor, which was intercepted by the police and both persons were arrested. The petitioner only being owner of the vehicle has been made accused.

Learned Addl. Public Prosecutor submits that in the present case, there is huge recovery of country-made liquor from the vehicle and as such, petitioner does not deserve to be extended the privilege of anticipatory bail.

However, considering the fact that petitioner is having clean antecedent and he was made accused only on the ground that he is title owner of the vehicle, he may not be denied the privilege of anticipatory bail.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner namely Pradeep Ram be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-VII-cum-Special Judge, Aurangabad in connection with Aurangabad (M) P.S. Case No. 59 of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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