

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43679 of 2017

Arising Out of PS. Case No.-155 Year-2017 Thana- Madhubani Town District- Madhubani

Manoj Kumar Gupta, Son of Late Aniruddh Prasad, resident of Mohalla-
Kishori Lal Chawk, Ward No. 11, P.S.- Madhubani Town, District-
Madhubani.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2 21-09-2017 Heard Sri Subhash Kumar Jha, learned counsel for the
petitioner and Sri Damodar Prasad Tiwary, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in Madhubani
Town P.S. Case No.155 of 2017 registered for the offence under
Sections 272, 273 of the Indian Penal Code and Sections 30(1),
36 and 41 of the Bihar Prohibition and Excise Act, 2016, has
prayed for grant of bail, in the event of his arrest or surrender.

Learned counsel for the petitioner has drawn my attention
to the F.I.R. and submits that the petitioner is not named as
accused in the F.I.R., rather a SCORPIO vehicle of the
petitioner was intercepted by the police and driver of the said
vehicle was arrested and from the said vehicle, huge quantity of
Indian Make Foreign liquor was recovered. It was submitted by
learned counsel for the petitioner that the driver of the vehicle



made statement before the police that he was carrying the seized wine as per instruction of one Bharat Chaudhary. It has further been submitted that the petitioner being the owner of the said vehicle was not at all aware regarding carrying of such article in his vehicle and the driver without consent of the petitioner was indulged in the said occurrence. The learned counsel for the petitioner has drawn my attention to the statement made in paragraph-3 of the petition to show that the petitioner is having clean antecedent.

In view of facts and circumstances as well as clean antecedent of the petitioner, let the petitioner, namely, Manoj Kumar Gupta, in the event of his arrest or surrender within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.II-cum- Special Judge(Excise Act), Madhubani in connection with Madhubani Town P.S. Case no.155 of 2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

nawalkrs/-

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