

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 56459 of 2017

Arising Out of PS. Case No.-55 Year-2017 Thana- Basantpur District- Siwan

=====

Dinesh Ray @ Thepi, S/o Late Hira Ray, R/o Village- Samardah, P.S.-
Basantpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh
For the Opposite Party/s : Mr. Nand Kumar

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 04-12-2017 Heard Sri Gajendra Kumar Singh, learned counsel for
the petitioner and Sri Nand Kumar, learned Addl. Public
Prosecutor.

The sole petitioner, who is in custody since 25-07-2017
in Basantpur P.S. Case No. 55 of 2017 registered for offence
under Sections 272, 273, 308, 420 of the Indian Penal Code and
Sections 30, 40(1) of the Bihar Prohibition and Excise Act,
2016, has prayed for grant of bail, on the plea that despite the
fact that petitioner is in custody since the month of July, 2017,
till date, charge has not been framed.

It has also been argued that petitioner is having clean
antecedent, which fact has been stated in paragraph – 3 of the
petition, however; the petitioner in the present case has been
made accused only on the ground that he is the registered owner



of a vehicle (i.e. Mahindra Maxi Mini Van), from which, recovery of huge quantity of Indian make foreign liquor was shown. Learned counsel for the petitioner submits that the vehicle was a public carrier vehicle and the driver, without knowledge or consent of petitioner, was carrying illegal liquor, which was intercepted and petitioner has been made accused, considering the fact that he is the owner of the vehicle.

In view of the fact that petitioner is the owner of the vehicle as well as submission made by learned counsel for the petitioner that case has not proceeded despite the fact that he is in custody since the month of July, 2017, let the petitioner namely Dinesh Ray @ Thepi 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 Additional District & Sessions Judge II, Siwan in connection with Basantpur P.S. Case No. 55 of 2017.

(Rakesh Kumar, J.)

anay

U		T	
---	--	---	--

