

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18366 of 2017

Arising Out of PS.Case No. -89 Year- 2016 Thana -SONO District- JAMUI

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1. Deepak Kumar Singh Son of Bhagwan Singh Resident of Village -
Khamahar, P.S. - Muffasil, District - Begusarai. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

4 11-07-2017 Heard both sides.

The petitioner apprehends his arrest in Sono P.S. case
No. 89 of 2016 under Section 272, 273 of the Indian Penal Code
and under Section 47(A) (f) of Bihar Excise Act.

The police intercepted two Maruti vehicles bearing
registration No. BR09D-0510 and BR09D-7306 from which huge
quantity of Indian made foreign liquor of different brands were
recovered.

The learned counsel for the petitioner submits that
petitioner is not named in the FIR. The name of petitioner figured
in paragraph 76 of the case diary in which the registered owner of
the vehicle bearing registration BR09D-0510 disclosed that before
the date of incident he had already transferred the vehicle in the
name of petitioner, Deepak Kumar Singh. It is submitted that there
is no deed of transfer of the vehicle in favour of the petitioner.



There is no document to show that petitioner purchased the vehicle from owner of the vehicle bearing registration No. BR09D-0510. The owner of the vehicle filed affidavit to the effect that he had transferred the vehicle but the affidavit does not contain signature of the petitioner. There is no document to show that petitioner got the vehicle transferred in his name before the date of occurrence or even thereafter.

Considering the facts aforesaid and the nature of allegations made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to 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 the learned Additional Chief Judicial Magistrate, Jamui in Sono P.S. Case No. 89 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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