

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20280 of 2017

Arising Out of PS.Case No. -137 Year- 2016 Thana -SARAI District- VAISHALI(HAJIPUR)

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Ram Pravesh Mahto, Son of Dwarika Mahto, Resident of Village- Pakri
Ismil @ Pakri Ismail, P.S.- Sadar, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

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

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 13-07-2017 Heard Sri Mukesh Kumar Jha, learned counsel for the

petitioner and Sri Damodar Prasad Tiwary, learned Additional

Public Prosecutor .

The sole petitioner, who is registered owner of the
vehicle namely Bolero Jeep , which was running as public carrier
, has approached this court with a prayer to extend the privilege of
bail in the event of arrest or surrender in Sarai P.S. Case No. 137
of 2016 registered for the offence under Section 30(A)/32(2),
38(1), 41(1) of the Bihar Prohibition and Excise Act, 2016.

It was submitted by learned counsel for the petitioner
that recovery of huge quantity of Indian make foreign liquor was
shown from the vehicle, however petitioner was not at all aware
as to whether his vehicle which was running as public carrier was



being used for transporting liquor.

Considering the fact that petitioner is owner of a public carrier and nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let the petitioner Ram Pravesh Mahto be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge XIV Cum Addl. Chief Judicial Magistrate, XIII, Hajipur, Vaishali / concerned court in connection with Sarai P.S. Case No. 137 of 2016 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure 1973.

(Rakesh Kumar, J)

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