

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42771 of 2017

Arising Out of PS. Case No.-184 Year-2017 Thana- KUDHNI District- Muzaffarpur

Kanhai Kumar Pandit , son of Nawal Pandit , Resident of Village- Bibipur,
P.S.- Belsar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Jitendra Narain Sinha

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 21-09-2017 Heard Sri Jitendra Narain Sinha, learned counsel for the
petitioner and learned Additional Public Prosecutor.

The sole petitioner apprehending his arrest in Kudhani
(Kurhani) P.S. Case No. 184 of 2017 registered for the
offence under section 272 , 273, 290 of the Indian Penal
Code , 1860 and 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.

It was submitted by learned counsel for the petitioner that
his motorcycle was parked and on an allegation of recovery of
one bottle containing 375 ml of Indian make foreign liquor ,
the petitioner was made accused. It was submitted by learned
counsel for the petitioner that it is true that petitioner is the
owner of the vehicle in question, but fact remains that the said



vehicle was taken by his friend and petitioner was not having any knowledge regarding such act by his friend. Learned counsel for the petitioner has also drawn my attention to the statement made in paragraph - 3 of the petition to show that petitioner is having clean antecedent.

Considering the nature of accusation and clean antecedent of petitioner, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner Kanhai Kumar Pandit 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 Special Judge Excise-cum- Additional Sessions Judge, 3rd , Muzaffarpur / concerned court in connection with Kudhani (Kurhani) P.S. Case No. 184 of 2017 of 2017 subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure , 1973 .

(Rakesh Kumar, J)

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