

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52477 of 2017

Arising Out of PS. Case No.-124 Year-2017 Thana- Bochaha District- Muzaffarpur

Rakesh Kumar S/o Chandeshwar Sahni, R/o Village- Baijnathpur @ Khanpur,
P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. Umeshnand Pandit

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 09-11-2017 Heard Sri Alok Kumar Alok, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Bochahan P.S. Case No. 124 of 2017 registered for offence under Sections 272, 273, 120(B) of the Indian Penal Code and Sections 30(A)/33 of 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 it is true that petitioner is registered owner of the motorcycle, which was seized by the police while brother of the petitioner with pillion rider was apprehended and from said motorcycle, half filled bottle of Indian make foreign liquor was shown recovered. The petitioner is having clean antecedent,



which fact has been stated in paragraph – 3 of the petition.

Considering the fact that petitioner was not arrested with the liquor, rather his motorcycle, which was being driven by his brother, was intercepted and his brother was arrested as well as clean antecedent of the petitioner, there is no reason to refuse the prayer for anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Rakesh Kumar 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 3rd Addl. Sessions Judge -cum-Special Judge, Excise Act, Muzaffarpur in connection with Bochahan P.S. Case No. 124 of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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