

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18725 of 2017

Arising Out of PS.Case No. -253 Year- 2016 Thana -MURLIGANJ District- MADHEPURA

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Brijmohan Ray, son of Shiv Bachan Ray, resident of Village/Mohalla-
Budhia Bagan, Hatia Talab (Near Power House), P.S.-Chutia, District-
Ranchi (Jharkhand)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur with
Mr. Pravin Kumar, Advocates

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-05-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection
with Murliganj P.S. Case No. 253 of 2016 registered for the
offences punishable under Sections 47(a), 47(g) and 48(b) of the
Excise Act.

As per FIR there is recovery of huge quantity of liquor
from a car and petitioner is not named in the FIR. Later on his
name transpires for the reason that he is owner of the car.

It has been submitted on behalf of the petitioner that
prior to the occurrence he had given the car to some other person
on lease and petitioner has nothing to do with the seized article
and he has falsely been implicated only because he is owner of the



car.

Heard learned APP also, who has opposed the prayer for anticipatory bail.

Having heard both sides and in view of the allegation, let petitioner surrender and make prayer for regular bail, which shall be considered and disposed of by the court below keeping in view the fact that petitioner was not present at the place of occurrence and further the claim of the petitioner that he has given the car on lease to some other person and he has nothing to do with the seized article, preferably on the same day the bail application is filed.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

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