

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33004 of 2018

Arising Out of PS. Case No.-36 Year-2018 Thana- CHANDMUNDI District- Jamui

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Arun Kumar Sah , son of Narayan Sah, resident of Madhopur, Police Station
- Chandramandi, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

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

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 14-06-2018 Heard learned counsel for the petitioner and Sri
Damodar Prasad Tiwary, learned Additional Public Prosecutor.

The sole petitioner, having clean antecedent , which fact has been stated in paragraph no. 3 of the petition , apprehending his arrest in connection with Chandramandi P.S. Case No. 36 of 2018, registered for offence under Section 30(d) of the Bihar Prohibition and Excise Act , 2016 , has prayed for grant bail in the event of his arrest or surrender.

It was argued by learned counsel for the petitioner that it is true that petitioner is the owner of a Pick- Up Van having registration no. JH-15R-9236 from which about 45 Kilograms *Mahua* flower was shown to be recovered, there is no other material to connect the petitioner in the present case. It has been argued that the driver of the vehicle without consent



of the petitioner or any knowledge of the petitioner was carrying *Mahua* flower, which was intercepted and thereafter, petitioner has been made accused.

Considering the nature of accusation, clean antecedent of the petitioner and the fact that there is no other material save and except that petitioner is the owner of the vehicle, there is no reason to refuse the prayer for grant of anticipatory bail.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner - Arun Kumar Sah 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 IInd Addl. Sessions Judge, Jamui / concerned court in connection with Chandramandi P.S. Case No. 36 of 2018 subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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