

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.66626 of 2018

Arising Out of PS. Case No.-148 Year-2017 Thana- GOVINDPUR District- Nawada

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Jitendra Yadav, Son of Gyani Yadav, Resident of Village-Gainda, P.S.-
Bishnugadh, District-Hazaribagh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.

For the Opposite Party/s : Mr. Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 17-12-2018 The petitioner seeks bail in anticipation of his

arrest in connection with Govindpur P.S. Case No. 148 of

2017, dated 21.12.2017, instituted for the offences under

Section 30(A) of the Bihar Excise and Prohibition Act, 2016.

A white Bolero vehicle was spotted by the

informant having fallen in a ditch. It appeared to the

informant that perhaps the vehicle has met with an accident.

On going near the vehicle, the informant could sense that

the driver has broken the glass panes and had run away. On



the seat of the vehicle, ninety nine litres of liquor was found to be kept. The identity of the vehicle owner was ascertained and he was traced. He disclosed that the petitioner was driving the vehicle. Hence, the prosecution of the petitioner in the present case.

The learned counsel for the petitioner has submitted that the owner of the vehicle has wrongly and maliciously stated the name of the petitioner. In fact, the petitioner was earlier employed as the driver, but he had left his job. Only to create a defense for himself that the vehicle was used for an unauthorized purpose without his knowledge, the owner of the vehicle has taken the name of the petitioner. The vehicle in question, reportedly, has been released in favour of the owner.

Considering the facts aforestated and also taking into account the clean antecedents of the petitioner above named, he, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, is directed to be released on bail on his furnishing bail bonds in



the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District Judge-Cum-Special Judge, Nawada in connection with Govindpur P.S. Case No. 148 of 2017, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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