

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29085 of 2018

Arising Out of PS. Case No.-694 Year-2017 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Arvind Kumar Thakur, son of Kapil Dev Thakur, resident of village-Pandit
Pakri @ Pakri Jalal, P.S. Kanti, District-Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 26-06-2018 Heard Sri Sunil Kumar, learned counsel for the

petitioner and Sri Abhay Kumar Roy, learned Addl. Public

Prosecutor.

The sole petitioner, apprehending his arrest in
Muzaffarpur Town P.S. Case No.694 of 2017 registered for the
offence under Sections 272, 273 of the Indian Penal Code and
Sections 30(A), 38(1), 41(2) and 47 of the Bihar Prohibition and
Excise Act, 2016, has prayed for grant of bail, in the event of his
arrest or surrender.

Learned counsel for the petitioner, at the very outset,
has drawn my attention to the statement made in paragraph-3 of
the petition to show that the petitioner is having clean
antecedent. He submits that the petitioner is owner of a Scorpio



vehicle, bearing Registration No.BR-06PA/2500, which was intercepted by the police, from which 166.740 liters of Indian Make Foreign liquor was shown to be recovered and driver of the vehicle along with one occupant was arrested. He further submits that the driver of the said vehicle, without consent/knowledge of the petitioner, was carrying the said liquor. Learned counsel for the petitioner reiterates that the petitioner was not having any knowledge that the driver of the vehicle was carrying the same and the petitioner being owner of the said vehicle has been made accused.

Considering the fact that the petitioner is having clean antecedent as well as the submission made by learned counsel for the petitioner that the driver without knowledge of the petitioner was carrying Indian Make Foreign liquor on the said vehicle and the petitioner being owner of the vehicle has been made accused, in the event of his arrest or surrender within six weeks from today, let the petitioner, namely, Arvind Kumar Thakur 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 Special Judge, Excise Act, Muzaffarpur in connection with Muzaffarpur Town P.S. Case No.694 of 2017, subject to conditions as laid down in Section



438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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