

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 56763 of 2018

Arising Out of PS. Case No.-74 Year-2018 Thana- Rajaon District- Banka

Ambika Prasad Pandey S/o Jagdish Pandey, R/o vill.- Matigarh, P.S.-
Baghmara, District- Dhanbad (Jharkhand).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad

For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 06-10-2018 Heard Sri Brij Nandan Prasad, learned counsel for the
petitioner. None appeared on behalf of State.

The sole petitioner, apprehending his arrest in Rajoun
P.S. Case No. 74 of 2018 registered for offence under Sections
279, 337, 338 of the Indian Penal Code and Section 30(a) 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 petitioner in the present case has been arrayed as accused
only due to the fact that he is owner of the vehicle i.e. Mahindra
Xylo, which was intercepted by the police and from the said
vehicle, Indian make foreign liquor was shown to be recovered.
He submits that petitioner's driver was apprehended and
interrogated by the police, however he did not name the



petitioner, as this petitioner was aware regarding carrying of such liquor. It has been reiterated that petitioner was not having any knowledge regarding carrying of liquor on the vehicle, which was being driven by the driver. He submits that driver, without knowledge of the petitioner and without permission, was carrying the liquor. Learned counsel for the petitioner has also drawn my attention to statement made in paragraph-3 of the petition to show that petitioner is having clean antecedent.

In view of facts and circumstances, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Ambika Prasad Pandey 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 Additional Sessions Judge – II, Banka in connection with Rajoun P.S. Case No. 74 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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