

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4709 of 2018

Arising Out of PS.Case No. -244 Year- 2017 Thana -LALIT NARAYAN UNIVERSITY District-
DARBHANGA

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1. Ganga Yadav age about 50 Years, S/o Sukhdeo Yadav, R/o Village-
Chak Nizam Ganj, P.S.- L.N.M.U., District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shama Sinha

For the Opposite Party/s : Mr. Sri Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-02-2018

Heard the learned counsels for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with L.N.M.U. P.S. Case No. 244/2017 dated 07.10.2017 instituted for the offences under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

A Scorpio vehicle was found to be parked by the driver and from the said vehicle, approximately 113 litres of liquor was recovered.

The petitioner is said to be the owner of the aforesaid vehicle.

Learned counsel for the petitioner has submitted that there is no doubt about the ownership of the vehicle of the petitioner but the petitioner had no idea that his driver had used the said vehicle



for transporting the aforesaid liquor in violation of the law in that regard.

Since the petitioner has not being arrested on the spot and his implication is only on the basis of the ownership of the said vehicle which was, in the assertion of the petitioner, unauthorizedly used by his driver, he is directed to be released on bail, in the event of his arrest/surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bond in the sum of Rs. 10,000/- (Ten Thousand), with two sureties of the like amount each to the satisfaction of the learned A.S.J. IVth-cum-Special Judge, Darbhanga in connection with L.N.M.U. P.S. Case No. 244/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J.)

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