

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24211 of 2018

Arising Out of PS. Case No.-10 Year-2018 Thana- AHIAPUR District- Muzaffarpur

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Dharmendra Kumar S/o Sri Jageshwar Rai, R/o Vill.- Maahpur Basauli, P.S.-
Bochha, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 27-06-2018 Heard Sri Kumar Shankaram, learned counsel

for the petitioner and Sri Akshay Lal Pandit, learned Addl.

Public Prosecutor.

The sole petitioner, having clean antecedent,
which fact has been stated in paragraph-3 of the petition,
apprehending his arrest in Ahiyapur P.S. Case No.10 of
2018 registered for the offence under Sections 272, 273,
420, 120(B) of the Indian Penal Code and Section 30(a) 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 submits that it
is true that the petitioner is a registered owner of a pick-up
van, which was found by the police loaded with Indian



Make Foreign liquor, but the said vehicle was being plied as a public carrier by the driver of the petitioner. The petitioner was not knowing anything about the loading and carrying liquor. It has been argued that without any information and knowledge of the petitioner, the driver was indulged in liquor trade. Learned counsel for the petitioner submits that save and except the fact that the petitioner is owner of the vehicle, there is no other corroborative material to connect the petitioner in the present case.

Learned Addl. Public Prosecutor has opposed the prayer for grant of anticipatory bail.

Besides hearing, I have also examined the material on record as well as the fact that the vehicle in question was a public carrier and the petitioner is having clean antecedent. Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Dharmendra Kumar 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, Muzaffarpur in connection with Ahiyapur P.S. Case No.10 of 2018, subject to



conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

nawalkrs/-

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