

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5166 of 2018

Arising Out of PS.Case No. -82 Year- 2017 Thana -UJIYARPUR District- SAMASTIPUR

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1. Vijay Mahto, S/o Gaya Mahto, Resident of Mohalla- House No.4, Ward No.14, Samastipur, P.S.- Samastipur (M), Distt- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1

For the Opposite Party/s : Mr. Sri Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 02-02-2018 Heard both sides.

The petitioner apprehends his arrest in Ujiarpur P.S. Case No.82 of 2017 registered under Sections 272, 273 and 414 of the Indian Penal Code and under Sections 30(a) and 47 of Bihar Prohibition and Excise Act.

The police got information that some liquor was being transported and many persons were loading the liquor from one vehicle to another. On such, the police raided and arrested 23 persons.

The learned counsel for the petitioner submits that the petitioner is named in the FIR only because he happens to be a owner of a pick up van bearing registration No.BR-33M-2503.



The learned counsel for the petitioner further submits that the petitioner handed over his vehicle to his driver who without the knowledge of the petitioner was transporting liquor from one place to another. Petitioner has no manner of concern with the liquor. Petitioner was not arrested on the spot while driver managed to flee away and many other persons who were apprehended on the spot have already been granted regular bail by this Court.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner, above named, 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 this order is directed to 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 2nd Addl. Sessions Judge, Samastipur in connection with Ujiarpur P.S. Case No.82 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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