

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 62666 of 2018

Arising Out of PS. Case No.-31 Year-2018 Thana- Sasaram Muffasil District- Rohtas

Rajesh Ram, Son of Late Ram Nath Ram, resident of Village- Bishrampur
Tola, P.S. Sasaram (Muffasil), District- Rohtas at Sasaram.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad

For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 08-10-2018 Heard Sri Babu Nandan Prasad, learned counsel for
the petitioner and Mr. Md. Fahimuddin, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in
Sasaram (Muffasil) P.S. Case No. 31 of 2018 registered for
offence under Sections 30(a), 35, 38 of Bihar Prohibition and
Excise Act, 2016, has prayed for grant of bail in the event of his
arrest or surrender.

At the very outset, it was submitted by learned
counsel for the petitioner that petitioner is having clean
antecedent. He further submits that save and except the fact that
petitioner is the owner of the tractor in question from which
huge quantity of Indian make foreign liquor was shown to be
recovered, there is no other material to connect the petitioner in
the present case. He further submits that even in the F.I.R., the
informant, who is police officer, has stated that he had received
secret information that Mahendra Ram (son of the petitioner)



had loaded liquor in the tractor and thereafter, tractor was intercepted, however; the son of the petitioner Mahendra Ram could not be apprehended. Learned counsel for the petitioner has drawn my attention to Annexure – 2 to the petition to show that other co-accused Mahendra Ram has already been granted anticipatory bail by order dated 14-09-2018 passed in Cr. Misc. No. 57343 of 2018.

Considering the fact that one of the co-accused, against whom there was accusation, has been granted anticipatory bail, there is no reason to refuse the same relief to the petitioner.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Rajesh Ram 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-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Sasaram Muffasil P.S. Case No. 31 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

anay

U		T	
---	--	---	--

