

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74147 of 2018

Arising Out of PS. Case No.-328 Year-2018 Thana- BIDUPUR District- Vaishali

Kapil Ray @ Kapal Ray, S/o Nevalal Ray, R/o Village- Jafrabad Dih, P.S.-
Raghopur, Distt. Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr.Sri Arbind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Bidupur P.S. Case No. 328 of 2018 for the offence under
Section 379 and 420 of the Indian Penal Code and Section 30
(a) of Bihar Prohibition and Excise Act 2016.

Learned counsel appearing on behalf of the petitioner
submits that petitioner has no criminal antecedent. He further
submits that there is no allegation except that the vehicle of the
petitioner was used in carrying the liquor. He further submits
that petitioner is owner of the vehicle and he was not aware of
the fact that without his knowledge and instruction, the driver of
the vehicle has used the vehicle for transportation of the liquor.

Considering the fact that the petitioner has no criminal



antecedent and is only owner of the vehicle, let the petitioner above named, in the event of arrest or surrender within one month from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court of learned Additional District & Sessions Judge II - cum-Special Judge, Excise, Vaishali at Hajipur, in connection with Bidupur P.S. Case No. 328 of 2018, subject to the conditions as laid down under Section 438 Cr.P.C. As also condition that in future any of his vehicle is found use in illegal trade of liquor the Court below is at liberty to cancel the bail bond of this petitioner in the instant case.

(Anil Kumar Upadhyay, J)

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