

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4129 of 2019

Arising Out of PS. Case No.-264 Year-2018 Thana- GOVINDGANJ District- East
Champaran

=====

Raj Kumar Ram, (M), aged about 26 years, son of Late Bhikhan Ram @
Bhikhar Ram, Resident of Village- Radhiya, P.O. and P.S.-Govindganj
District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Parmanand Prasad

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 279, 337 and 338 of
the IPC and Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case is to the effect that on 10.09.2018 at
about 8.30 P.M., the petitioner dashed the father of the
informant by motorcycle on the road, as a result, he received
injury, subsequently, after leaving the motorcycle, the petitioner
escaped from the scene. From the alleged motorcycle, 13
sachets, each containing 100 M.L. of country made, liquor were
recovered.



It is submitted by learned counsel for the petitioner that maliciously, the accusation has been levelled against the petitioner. The alleged motorcycle does not belong to the petitioner, statement to that effect has been made in paragraph nos. 8, 9 and 10 of the petition. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the specific case of the prosecution is that the petitioner was driving the motorcycle from which the recovery has been made.

Considering the fact that neither the prosecution report nor the impugned order suggest that the petitioner is the owner of the alleged motorcycle, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Govindganj P.S. Case No. 264 of 2018, in connection with learned Additional Sessions Judge-VII-cum-Special Judge, Excise, East Champaran, Motihari, subject to the



condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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

