

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 7972 of 2019

Arising Out of PS. Case No.-448 Year-2018 Thana- Patna City Chowk District- Patna

Rakesh Kumar aged about 24 years (Male), Son of Ramsagar Singh, Resident of Village- Kanchanapur, P.S.- Bidupur, District- Vaisali, owner of Vaisali Pick up van no.-31 GA 3039

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Satrudhan Kumar

For the Opposite Party/s : Mr. Amarendra Prasad

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 05-04-2019 Heard Sri Satrudhan Kumar, learned counsel for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Chowk P.S. Case No. 448 of 2018 (Special Case No. 10864 of 2018) registered for the offence under Section 30(a) of the Bihar Prohibition & Excise Act, 2016, has prayed for grant of bail in the event of his arrest or surrender.

At the very outset, learned counsel for the petitioner has drawn my attention to statement made in paragraph – 3 of the petition to show that petitioner, besides the present case, is not accused in any other case. It has also been argued that petitioner is a handicapped person and it is true that he is owner of the pick-up van, which was seized by the police, but fact



remains that said pick-up van is a public carrier and the driver, without knowledge or consent of the petitioner, was using the vehicle for the purposes of transporting illegal liquor.

In view of nature of accusation, clean antecedent as well as facts and circumstances of the present case, it is desirable to extend the privilege of anticipatory bail to the petitioner.

In the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Rakesh 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, Patna in connection with Chowk P.S. Case No. 448 of 2018 (Special Case No. 10864 of 2018), subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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