

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11918 of 2019

Arising Out of PS. Case No.-238 Year-2018 Thana- BALLIA District- Begusarai

Chandan Kumar, male, aged about 27 years, Son of- Akildev Sah Resident of village-Khanjahanpur,P.S-Cheria Bariyarpur,Dist-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-02-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection with Ballia P.S. Case No. 238 of 2018 registered for the offences punishable under Sections 420, 467, 468, 471, 120B and 34 of the Indian Penal Code and also under Section 30 (a), 32, and 42 (1) of Bihar Excise Prohibition Act, 2016.

Learned counsel for the petitioner submits that in the F.I.R. the informant has recorded the name of eight accused persons who are said to have fled away on seeing the police party. This petitioner is not named among the eight accused persons. Later on, the name of the petitioner has transpired in connection with this case because one of the vehicles which were seized is registered in the name of this petitioner. Learned counsel submits that the petitioner no doubt is the owner of the



vehicle but the submission is that the Pickup Van in question was given to the driver for running in commercial use and as a matter of fact, this petitioner had no knowledge that the driver was indulged in transportation of liquor. Learned counsel submits that only because the vehicle is registered in his name, he has been involved. It is also stated that he has no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for bail.

Considering the facts and circumstances of the case, whereunder eight persons who fled away on seeing the police party have been specifically named in the F.I.R but this petitioner is not named there and that he has no criminal antecedent, let in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Court, Begusarai, in connection with Ballia P.S. Case No. 238 of 2018, subject to the condition that petitioner shall join the investigation by reporting to the Investigating Officer within a



period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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