

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12367 of 2019

Arising Out of PS. Case No.-299 Year-2018 Thana- DORIGANJ District- Saran

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PRAKASH ANAND @ RATNESH KUMAR, aged about 25 years, Male,
Son of Swayambar Ray @ Shobha Ray, Resident of Village - Santha, P.S.
Awtar Nagar, District Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Tapeshwar Sharma

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-02-2019 Heard both sides.

The petitioner apprehends his arrest in Doriganj P.S.
Case No.299 of 2018 registered under Sections 272, 273, 308,
467, 468, 471, 413 and 414 of the Indian Penal Code and under
Sections 30(a), 38 of Bihar Prohibition and Excise Act.

The police intercepted a Bolero jeep on chase and
apprehended the driver of the vehicle who disclosed the name as
Vivekanand Kumar. The driver of the vehicle disclosed the
name of the petitioner as the person who used to help him in
transporting illicit liquor.

The learned counsel for the petitioner submits that
petitioner is said to have fled away from the place of occurrence
but in fact, the petitioner was not sitting in the vehicle. The



driver himself disclosed that the vehicle is theft one and it was the driver who was transporting the illicit liquor on a theft vehicle. Petitioner has no manner of concern either with the theft vehicle or the recovered liquor from the vehicle.

Taking into consideration the facts that name of the petitioner figured in the case on the confession of the driver and except that no material is collected to show the involvement of the petitioner in transportation of illicit liquor, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 6th A.D.J., Chapra, Saran in connection with Doriganj P.S. Case No.299 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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