

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.14796 of 2019

Arising Out of PS. Case No.-17 Year-2019 Thana- Musahari District- Muzaffarpur

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Santosh Kumar Son of Vishundev Singh Resident of Village - Madapur
Ladaura Pakari, P.S.- Kudani, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 13-03-2019 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Mushahari P. S. Case No. 17 of
2019 dated 15.01.2019 instituted for the offences under
Sections 272 and 273 of the Indian Penal Code and Sections
30(a), 36 and 38 of the Bihar Prohibition and Excise Act,
2016.

During the course of patrolling, one three-wheeler /
tempo car was intercepted. The driver could manage to run



away from the three-wheeler. On checking the vehicle, several cartons of liquor is said to have been recovered. The petitioner is sought to be prosecuted in this case because of the ownership of the aforesaid vehicle from where the recovery is said to have been made.

Learned counsel for the petitioner has submitted that he had given the three-wheeler / tempo to his driver for being run on commercial basis with strict instructions not to violate any rule or law. The petitioner had no idea that the driver would act truant and would bypass the instructions given to him.

There is no recovery from the possession of the petitioner and he has clean antecedents.

For the afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge



Excise, Muzaffarpur in connection with Mushahari P. S. Case
No. 17 of 2019, subject to the conditions as laid down
under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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