

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18294 of 2019

Arising Out of PS. Case No.-705 Year-2018 Thana- DANAPUR District- Patna

SURENDRA PRASAD, Son of Late Ashraphi Rai, Resident of Mohalla -
Chhitnawan, P.S.- Maner, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra
For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-04-2019 Heard learned counsel for the petitioner and
learned APP representing the State.

Petitioner is seeking anticipatory bail in
connection with Danapur P.S. Case No. 705 of 2018 registered
for the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in this case on mere
suspicion because he is the owner of the tempo from which the
recovery of illicit liquor has been made. He further submits that
the tempo was driven by one Mukesh Kumar who had taken the
tempo on hire from the petitioner.

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



In the given facts and circumstances wherein it transpires that the tempo in question was being driven by one Mukesh Kumar who had taken the tempo on hire from this petitioner who is the owner of the tempo and had indulged in carrying illegal illicit wine as also that according to the petitioner the offence was being committed without his knowledge and he has no criminal antecedent of a case of similar nature, in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner shall 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 Special Judge, Excise, Patna in connection with Danapur P.S. Case No. 705 of 2018, subject to the condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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