

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24254 of 2019

Arising Out of PS. Case No.-22 Year-2019 Thana- BIKRAM District- Patna

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KUNDAN KUMAR Son of Ajay Singh @ Ajay Sharma, Resident of Village-
Arap, P.S.- Bikram, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Pandey
For the Opposite Party/s : Mr.Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 16-04-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Bikram P.S. Case No. 22 of 2019
registered for offence punishable under section 30 (a) of the
Bihar Excise Prohibition Amendment Act, 2016.

A car loaded with 119 litres of illegal foreign liquor
has been seized. The villager has taken the name of this
petitioner to be the owner of the car.

The learned counsel for the petitioner submits that
the petitioner does not know Prabha Devi of village Aspura nor
he is the owner of the car, inasmuch as he does not know who
is owner of the car and also he does not have any information
as to which the owner of the car.



In such view of the matter, the petitioner is granted **provisional bail** and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on provisional bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Patna in connection with Bikram P.S. Case No. 22 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. The court below will verify the ownership of the car. If it is found that the petitioner is not close relative nor owner of car, in such circumstance, the bail of the petitioner will be confirmed. In contra, the relief granted to the petitioner will be treated to have been withdrawn.

(Shivaji Pandey, J)

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