

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31304 of 2019

Arising Out of PS. Case No.-104 Year-2017 Thana- KALUAHI District- Madhubani

MUNNA RAM, Sex-M, Age-30, S/O Bhogendra Ram Resident of Village/Muhalla- Hatwariya, P.S.- Harlahi, Dist.- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-05-2019 Heard both sides.

The petitioner apprehends his arrest in Kaluahi P.S. Case No.104 of 2017 registered under Sections 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

The S.H.O. of Kaluahi P.S. intercepted a motorcycle bearing registration No.BR-30C-5386 from which 100 bottles each containing 300 ml. Nepali liquor was recovered.

The learned counsel for the petitioner submits that the petitioner is not the owner of the motorcycle. The registered owner of the motorcycle disclosed that he had sold the motorcycle to Munna Ram(the petitioner). On the basis of such material, the petitioner has been implicated in the case but petitioner has no manner of concern with the motorcycle and no



chit of paper with regard to transfer of ownership of the motorcycle is produced before the investigating officer.

Taking into consideration the fact that petitioner is not the owner of the motorcycle from which 30 liters of country made liquor is recovered, 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 2nd Addl. Sessions Judge-cum-Special Judge, Excise Act, Madhubani in connection with Kaluahi P.S. Case No.104 of 2017, 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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