

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32250 of 2019

Arising Out of PS. Case No.-17 Year-2018 Thana- PUPRI District- Sitamarhi

Raja Rai Son of Tapeswar Ray, Resident of Village - Sasaula, P.S.- and Dist.-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan
For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-05-2019 Heard both sides.

The petitioner apprehends his arrest in Pupari P.S.
Case No.17 of 2018 registered under Section 273 of the Indian
Penal Code and under sections 30(a), 38 and 41 of the Bihar
Prohibition and Excise Act.

The informant intercepted a motorcycle from which
750 ml of Indian made foreign liquor was recovered. Saroj
Kumar is said to be the owner of the motorcycle.

Learned counsel for the petitioner submits that during
course of investigation the supervising authority found the
involvement of the petitioner but without any material. Saroj
Kumar is the owner of the vehicle and the petitioner has got no
concern with the recovered motorcycle and he is not entitled to
get the motorcycle released in his favour.



Having considered the facts that the petitioner is not the owner of the motorcycle and he has got no concern with the said motorcycle from which liquor was recovered, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge, Excise Act, Sitamarhi in connection with Pupari P.S. Case No.17 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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