

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31785 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- NADI P.S. District- Patna

AKHILESH KUMAR @ AKLESH KUMAR Son of Gopi Ray, Resident of
Village - Jafrabad, P.S.- Raghopur, Distt – Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Chandra

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 14-05-2019 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 Special Case No. 1919 of 2019 (arising from Nadi P.S. Case No. 45/2019) registered for offence punishable under section 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2016.

It has been alleged that the police received an information that the vehicle was intercepted and three persons, namely, Mukesh Kumar, Ranjan Paswan and Dharamveer Thakur were arrested and in the presence of independent witnesses, namely, Tinku Kumar and Indrajeet Kumar, they have disclosed that the owner of vehicle is petitioner and Mukesh Kumar told that he is a driver of the said vehicle and on hire basis, he used it to transport the liquor to Pappu Sao.



The learned counsel for the petitioner submits that the vehicle was given to Mukesh Kumar and he was driving as a public vehicle which was misused by him.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory 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 Special Case No. 1919 of 2019 (arising from Nadi P.S. Case No. 45/2019), 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. If the petitioner is found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of his bail bond.

(Shivaji Pandey, J)

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