

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40899 of 2019

Arising Out of PS. Case No.-428 Year-2018 Thana- LAKHISARAI District- Lakhisarai

Netai Chandra Ghosh @ Natya Chandra Ghosh, Son of Late Madan Mohan Ghosh, Resident of Village-Bandra, P.O-Katwa, Police Station and District-Purbo Burdhan (West Bengal). Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr.Jainendra Kumar, Advocate
For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

3 02-08-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Lakhisarai P.S. Case No.428 of 2018, registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30 (a), 32 (b), 38 (a) of Bihar Prohibition & Excise Act.

The police has recovered 207 liters foreign liquor from a Bolero Vehicle. The petitioner has been implicated in the present case on account of fact that he is owner of the said vehicle, but counsel for the petitioner submits that he has already sold the said vehicle to one Surjit, but in the record before the Authority under the Motor Vehicles Act, the name of the petitioner is standing, but in paragraph 69 of the case diary,



it has been recorded by the police that during investigation, it transpires that this petitioner has already sold the said vehicle to another person.

Looking to the entire facts and circumstances of the case, let the petitioner, above-named, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II-cum-Special Judge, Excise, Lakhisarai, in connection with Lakhisarai P.S. Case No.428 of 2018 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with a further condition that whenever the police will call the petitioner for the purposes of investigation and interrogation, he will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

V.K.Pandey/-

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