

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40637 of 2019**

Arising Out of PS. Case No.-107 Year-2019 Thana- UJIYARPUR District- Samastipur

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Suman Kumar Bhandari Son of Late Raju Bhandari, Resident of Village-
Hasauli Pataili, Police Station- Ujiarpur, District- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy

For the Opposite Party/s : Mr.Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-07-2019 Heard both sides.

The petitioner apprehends his arrest in Ujiarpur P.S.
Case No.107 of 2019 registered under Sections 30(a) and 32(ii)
of the Bihar Prohibition and Excise Act.

The police seized the motorcycle bearing Registration
No.BR-33V-5784 and a bag from which two bottles of whisky
were recovered.

Learned counsel for the petitioner submits that the
petitioner is not the owner of the motorcycle and petitioner has
not filed any petition for release of the vehicle.

Having considered the facts that the police alleged
that the petitioner is the owner of the motorcycle but the
petitioner has denied the fact and stated in para 9 of the petition
that the petitioner is not the owner of the vehicle, 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 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Samastipur in connection with Ujiarpur P.S. Case No.107 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

If the petitioner files petition for release of the vehicle claiming himself to be the owner of the vehicle, the bail bond of the petitioner shall be cancelled.

(Prabhat Kumar Jha, J)

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