

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43878 of 2019

Arising Out of PS. Case No.-91 Year-2019 Thana- SONO District- Jamui

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Bhola Kumar Son of Kailash Sah Resident of Village - Baisa, P.S.- Parbatta,
Dist.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-07-2019 Heard both sides.

The petitioner apprehends his arrest in Sono P.S. Case No.91 of 2019 registered under Sections 272, 273 of the Indian Penal Code and under section 30(a) and 41 of the Bihar Prohibition and Excise Act.

The informant intercepted one pick-up van and arrested two persons. On search, 279 litre Indian made foreign liquor was recovered from the pick-up van. The informant (police officer) lodged the case against the driver, passenger and owner of the vehicle. The petitioner is the owner of the vehicle.

Learned counsel for the petitioner submits that there is no material that the petitioner is involved in transportation of liquor. The petitioner handed over the vehicle to the driver to ply on hire but the driver illegally loaded liquor and he was



apprehended. It is submitted that even the driver of the vehicle has not stated any fact showing involvement of the petitioner.

Having considered the facts that the petitioner is the owner of the vehicle and even the driver of the vehicle, who was plying the vehicle on road, did not disclose the name of petitioner showing involvement of the petitioner in transportation of liquor, 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 A.D.J., Jamui in connection with Sono P.S. Case No.91 of 2019, 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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