

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45722 of 2019

Arising Out of PS. Case No.-512 Year-2018 Thana- SHERGHATI District- Gaya

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RANJEET KUMAR Son of Kamaldeo Singh @ Kamla Singh Resident of
Village - Naugarh, P.S.- Makhdumpur, Distt - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mrs.Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Sherghati (Dhobhi) P.S. Case NO. 512 of 2018, disclosing offences under Sections 414/34 of the Indian Penal Code and Section 30(d) of the Bihar Prohibition and Excise Act, 2016.

The petitioner has been implicated in the case with the only allegation that the tempo which was carrying Mahua flower (200 K.G.) belonged to the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that it is not in dispute that the petitioner is the registered owner of the vehicle in question. He, however, submits that no offence can be said to be made out against the petitioner only because he is owner of the vehicle, in the absence of any allegation that it was



within his knowledge that vehicle was being used for some illegal purpose.

I find substance in the submission advanced on behalf of the petitioner. This application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge, Gaya in Sherghati (Dhobhi) P.S. Case No. 512 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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