

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60733 of 2019

Arising Out of PS. Case No.-97 Year-2019 Thana- LALGANJ District- Vaishali

Vikash Kumar age 28 years, Male, S/O Shivjee Rai @ Shivji Ray, R/O Village- Bidupur Dih, Ward No. 13, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Reena Sinha, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Lalganj P.S. Case No. 97 of 2019 registered under sections 353, 467, 468, 471, 414, 307, 308/34 of I.P.C & 34 /36 /30 (a) /32(2) / 41(i) of Bihar Prohibition and Excise Act, 2018.

The allegation against the petitioner, as per the first information report, is that the police on an information that some miscreants were carrying the consignment of liquor proceeded for verification of the information and saw that from two cars and motorcycle 5 to 6 persons were transferring cartons from one car to another car. The allegation is that the petitioner is owner of the KUV Mahendra car having No. BR-31-EA-4348 and illicit liquor was transferred from another car into a car of the petitioner i.e.



KUV Mahendra. The police apprehended two persons from KUV car who disclosed their name as Lalu Kumar and Rajendra Sah and upon search the KUV car the police recovered a total quantity of 198 liters of illicit foreign liquor.

M. Reena Sinha, learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in this case merely on the basis of the fact that he is the owner of the KUV car. Learned counsel further submits that Lalu Kumar is driver of the car and he took the car of the petitioner for marriage purpose but without the consent and permission of the petitioner he along with other person was indulged in illegal transportation of illicit liquor. Learned counsel further submits that the petitioner has got no criminal antecedent.

Having regard to the submission made by the parties and taking into consideration the fact that the driver of the KUV Car Lalu Kumar was arrested from the car along with one Rajendra Sah, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of the learned Additional Session Judge-II-cum-
Excise Court, Vaishali at Hajipur in connection with Lalganj P.S.
Case No. 97 of 2019, subject to the condition as laid down under
Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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