

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62021 of 2019

Arising Out of PS. Case No.-79 Year-2019 Thana- ANDHRAMATH District- Madhubani

Abadesh Kumar Keshari @ Abadhesh Kumar Raut, aged about 30 years,
male, Son of Brahamdeo Keshari, Resident of Village- Narhi, P.S.-
Andharamath, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Adv.

For the Opposite Party/s : Mr. Anish Chandra, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-10-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with
Andharamath P.S. Case No.79 of 2019 registered under sections
272, 273 of the Indian Penal Code and 30(a) of Bihar Prohibition
and Excise Act, 2018.

The allegation against the petitioner as per first
information report is that police on the basis of secret information
proceeded towards the place of occurrence and intercepted a
Bolero vehicle bearing registration no. BR06P9272 and recovered
a total quantity of 729 liters of illicit Nepali liquor and also found
owner book kept inside the dickey of the Bolero vehicle in which
the name of the petitioner was mentioned.

Learned counsel appearing for the petitioner submits



that the petitioner has got no criminal antecedent and has falsely been implicated in this case mainly due to the fact that he happens the owner of the said vehicle. Learned counsel for the petitioner further submits that Bolero vehicle in question was being run by the driver on hire basis and it was being driven by him and the petitioner has got no knowledge about the illicit liquor being kept in the vehicle inasmuch as the petitioner had not given any permission or consent to the driver to indulge himself in the illicit trade of liquor. The petitioner has filed a supplementary affidavit stating the fact that the driver had taken the vehicle for the purpose of plying.

Having regard to the submissions made by the parties and taking into consideration the fact that the petitioner has got no criminal antecedent and the justification given by the petitioner appears to be cogent, I am inclined to grant anticipatory bail to the petitioners.

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 and Sessions Judge- IInd, cum-Special Judge, Excise Act, Madhubani in connection with



Andharamath P.S. Case No. 79 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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