

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4296 of 2020

Arising Out of PS. Case No.-536 Year-2019 Thana- PATLIPUTRA District- Patna

MANOJ KUMAR @ MANOJ KUMAR MISHRA, Son of Raj Kumar Mishra, Resident of Indrapuri Road No. 9A, Tenant of Amrendra Singh, P.S.- Patliputra, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 14-07-2020 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor.

On confidential information regarding presence of Swift Dzire car bearing Registration No.BR-01-DA-8996 in abandoned condition loaded with wine came to the knowledge of the informant, a police official. Whereupon, the car was raided having parked in locked condition. On interrogation, the informant came to know that the aforesaid car belonged to the petitioner. Whereupon, he had gone to the place of the petitioner who was found absent. However, the mother as well as brother-in-law of the petitioner who were present there, were asked to hand over the key but they asked for an excuse as key was not along with them. After opening of the vehicle 9 litres of foreign wine (Indian origin) has been recovered for which seizure list has been prepared.

From paragraph 7 of the bail petition it is crystal



clear that the petitioner has disowned to be either owner or driver of the aforesaid vehicle, whereupon, case diary has been called for. Case diary is inscribed up to paragraph 40 and, from perusal of the same more particularly from the further statement of the informant along with the place of occurrence, it is very much clear that there happens to be no reference with regard to the owner book, tax token, insurance policy of the vehicle so seized nor any effort was taken at the end of the I.O. to trace out the ownership of the vehicle even through D.T.O..

That being so, petitioner, Manoj Kumar @ Manoj Kumar Mishra in the event of his arrest or surrender within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna in connection with Patliputra P.S. Case No.536 of 2019 in terms of the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Aditya Kumar Trivedi, J)

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