

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18128 of 2020

Arising Out of PS. Case No.-30 Year-2019 Thana- KARJA District- Muzaffarpur

=====

RAJNEES KUMAR Son of Dinesh Thakur Resident of Village - Patahi Roop,
P.S.- Sadar , Dist.- Muzaffarpur (Owner of the seized Vehicle).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :
For the Petitioner/s : Mr.Bhavesh Kumar
For the Opposite Party/s : Mr.Upendra Kumar

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-09-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner apprehends his arrest in Karza P.S.

Case No. 30 of 2019, registered for the offence punishable

under Section 30(a)/41(i) of the Bihar Prohibition and Excise

Act, 2016.

35.25 litres of foreign liquor is said to have been

recovered from Bolero vehicle and driver of the vehicle was

severely injured. Petitioner is alleged to be the owner of



said vehicle.

It is submitted that petitioner has falsely been implicated in this case. Nothing has been recovered from conscious possession of this petitioner. Petitioner is simply the owner of vehicle in question. Petitioner has given his vehicle on hire. Petitioner has no concern with the illicit liquor. Petitioner has got no knowledge about the liquor which was loaded on this vehicle. The provision of section 100 Cr.P.C has not been followed. The petitioner has got clean antecedent.

Considering the facts aforesaid, the petitioner above-named in the event of his arrest/surrender before the court below within a period of eight 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 the learned Special Judge, Excise Act, Muzaffarpur in connection with Karza P.S. Case No. 30 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

