

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39695 of 2021

Arising Out of PS. Case No.-84 Year-2020 Thana- SAKATPUR District- Darbhanga

RAM BABU KUMAR, aged about 26 years, Male, son of Basudeo Mahto,
Resident of Village - Ward No.-1 Kewas Nizamat, P.S. - Muffasil, Distt. -
Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar No. 1, Advocate
For the Opposite Party : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 10-12-2021

Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

This application for anticipatory bail arises out of
Sakatpur P.S. Case No. 84 of 2020 for the offence punishable
under Section 30(a) of the Bihar Prohibition & Excise Act.

The petitioner claims that the vehicle, in question,
was sold to someone and he has no knowledge about the present
crime.

Considering the fact that the petitioner may be the
owner of the vehicle, in question, and since it is a commercial
vehicle, the role of the petitioner in the present crime is
doubtful, let the petitioner, above named, in the event of his



arrest/surrender within four 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 2nd Additional Sessions Judge -cum- Special Judge, Excise, Darbhanga, in connection with Sakatpur P.S. Case No. 84 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

However, the Court below before accepting the bail bonds of the petitioner shall verify whether the petitioner was the owner of the vehicle or not at the time of occurrence. If it is found that the petitioner was not the owner of the vehicle at the time of occurrence then the Court below shall accept the bail bonds of the petitioner but if it is found that it is the petitioner, who was the owner of the vehicle at the time of occurrence, in such circumstance, the Court below shall not accept the bail bonds of the petitioner.

(Sandeep Kumar, J)

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