

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33416 of 2020

Arising Out of PS. Case No.-34 Year-2020 Thana- BALRAMPUR District- Katihar

PARITOSH KUMAR, Son of Surendra Prasad Mandal @ Surendra Prasad,
Yadav Resident of - Maharshi Mehingar, Newalal Chowk, P.S.- Maranga,
District- Purnea ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Arun Kumar Mandal, Adv.
For the Opposite Party : Mr. Mrityunjay Kumar Nirala, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 12-03-2021 As prayed for, let the learned counsel for the
petitioner remove the defect(s), as pointed out by the office vide
it's note, dated 07.12.2020, within four weeks of starting of the
Court proceeding in physical mode properly.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Balrampur (Telta) P.S. Case No. 34 of 2020, G.R. No. 1056 of
2020, registered under Section 30(A) of the Bihar Prohibition
and Excise Act, 2016.

The accusation is of recovery of several bottles of
Indian made foreign liquor in volume of 459 liters from a magic
van, bearing registration no. BR-11GD-0157, concealing under
the vegetables. The driver of the magic van, Rakesh Kumar Jha,
was apprehended there, who disclosed the name of the petitioner



as the owner of the vehicle.

Submission is that petitioner is the owner of the seized magic van and the same was handed over to co-accused, Rakesh Kumar Jha, to ply on hire and the petitioner had no knowledge that the driver of the vehicle had kept the bottles of liquor concealing under the vegetables, loaded on the magic van.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Balrampur (Telta) P.S. Case No. 34 of 2020, G.R. No. 1056 of 2020, shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional District Judge II-cum-Special Judge, Katihar, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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