

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40685 of 2020

Arising Out of PS. Case No.-100 Year-2020 Thana- MOTIHARI MUFASIL District- East
Champaran

Radheshyam Kumar, Son of Chandrika Sah, Resident of Village - Kasba
Pataura, P.S. - Muffasil Motihari, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar- Advocate
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-06-2021 Heard Mr. Dhurendra Kumar, the learned Advocate
for the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Muffasil P. S. Case No.100 of 2020, instituted for the offences under Sections 272, 273/ 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

The petitioner has been named as one of the two persons, who fled from a pick-up van from where 385.920 litres of liquor was recovered.

The learned counsel for the petitioner has submitted that his prosecution in the instant case is only on the basis of the fact that the petitioner was the erstwhile owner of the vehicle in question. He had sold the aforesaid vehicle to one



Vikas Sah on 12.02.2020, but the ownership documents had not been transferred. Precisely for this reason only, the petitioner is sought to be prosecuted in this case.

The petitioner has no criminal antecedents.

Considering the afore-stated facts that the petitioner has no criminal antecedents, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, East Champaran, Motihari in connection with Motihari Muffasil P. S. Case No.100 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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