

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23767 of 2021

Arising Out of PS. Case No.-88 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

Ravi Singh, Male, aged about 27 years, Son of Shyam Kumar Singh, Resident of village - Mujabangra, P.S.- Deoria, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

3 06-01-2022 Heard the parties through video conferencing.

The petitioner seeks bail in anticipation of his arrest in connection with Sahebganj P.S. Case No.88 of 2020 instituted for the offence punishable under Sections 272, 273, 414 of the Indian Penal Code and Section 30 (a)/36 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that neither he is the owner of the truck nor he was the driver of the truck, he was merely a passers-by who ran away when the proceedings were being conducted and merely because of his name was mentioned, he cannot be made as an accused.

I have considered the submission and taking into consideration the facts of the case as has come out in the FIR as

well as in the order passed by the trial Court, I find that prima facie case under Section 30(a) is not made out as against the petitioner and therefore, I am inclined to exercise power and grant anticipatory bail to the petitioner, keeping in view the law laid down by this Court in the case of **Ram Vinay Yadav Vs. The State of Bihar** reported as **2019 (2) PLJR 1089**, in the event of arrest he shall be released on bail, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sanjeev Prakash Sharma, J)

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