

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18499 of 2022

Arising Out of PS. Case No.-32 Year-2019 Thana- CHANDAN District- Banka

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BISHWANATH RAY Son of Nathuni Ray Resident of ward No. 3,
Maniyarpur, Police Station - Warisnagar, District - Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-04-2022 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.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection

with Chandan P.S. Case No. 32 of 2019 registered for the

offences punishable under Sections 30(a)/(g)/32(2) of the Bihar

Prohibition and Excise Act.

The recovery is from the Indica Car and the petitioner is

the registered owner of the vehicle.

It has been submitted by the learned counsel for the

petitioner that he had sold this vehicle to one Ashok Kumar son

of Suresh Rai, village Magardahi, Kahridabad, P.S. Samastipur,



District Samastipur, in the year 2005. The said vehicle for the reasons best known to Ashok Kumar has not been transferred in his name and the registration certificate stands in the name of the petitioner though the petitioner is the registered owner, but when he had sold the vehicle to Ashok Kumar and the documents were executed showing the same, it is for the Investigating Officer of the case to verify this fact during the course investigation. The petitioner is granted bail till submission of chargesheet.

Accordingly, let the petitioner above named be released on bail till submission of chargesheet, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Banka, in connection with Chandan P.S. Case No. 32 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The petitioner will join the investigation and produce the transfer documents before the Investigating Officer who will thereafter make investigation as to the ownership of the Indica car. Even if the petitioner is a registered owner and the police finds that the same was sold by the petitioner to Ashok Kumar



in the year 2005, then the petitioner shall remain on anticipatory bail. If the documents produced by the petitioner are found to be forged and fabricated and the chargesheet is submitted against the petitioner then the petitioner will have to take legal remedies available to him.

With the aforesaid observations and directions, the application for anticipatory bail is allowed.

(Sandeep Kumar, J)

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