

Patna High Court - Orders

Hardayal Singh vs Union Of India Thru.Custom on 30 November, 2010

IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.10721 of 2010

HARDAYAL SINGH

Versus

UNION OF INDIA THRU.CUSTOM

06. 30.11.2010 Heard the learned counsel for the petitioner and the State.

A truck loaded with betel nuts recovered liability is extended to petitioner as being its owner and transporter. Admittedly truck was existing in name of his (petitioner's) wife, but it is submitted by the learned counsel for petitioner that some was sold to one co- accused Vijay Singh, who came forward for release of the truck and that is allowed also, if that can be extended to proprietor of the Manhas Carrier, Indore, evidence is lacking to connect him, if the truck did not remain in ownership and possession of his wife.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender within a period of one month from the date of receipt/production of a copy of this order, the above named petitioner shall 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 Presiding Officer Economic Offences Court, Muzaffarpur in connection with Custom Case No.126/2007- 08, Tr. No.284/2009, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

However, at the stage of hearing the case on charge matter, trial court shall justify through collected material bail to this petitioner.

Vikash

(Mandhata Singh,