

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74762 of 2018

Arising Out of PS. Case No.-87 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Ganesh Gope son of Late Mahadev Gope, resident of Village- Patlabari, P.S.
Chirkunda (Panchait O.P.), District Dhanbad (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan
For the Opposite Party/s : Mr.Sri Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner and

learned APP representing the State.

Petitioner is seeking anticipatory bail in
connection with Excise (Gaya) Case No. 87 of 2018
registered for the offences punishable under Sections 30(ka)
and 56 (kha) of the Bihar Prohibition and Excise Act, 2016.

As per the First Information Report, allegation
against the petitioner is that he was owner of the vehicle
from which the alleged illicit liquor was recovered.

Learned counsel for the petitioner submits that on
10.06.2018 the vehicle in question was stolen away from
the premise of this petitioner. This petitioner had lodged one



FIR in this regard, a copy of which has been annexed as Annexure-2 to the present application. It is submitted that on 19.06.2018 the said vehicle was seized by police with 280 liters of illicit liquor. It is submitted that the petitioner being the owner of the vehicle is now apprehending arrest even though the vehicle was stolen from his premise at least nine days before the alleged seizure. It is submitted that the petitioner has no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for bail.

In the given facts and circumstances, in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise), Gaya in connection with Excise (Gaya) Case No.87 of 2018, subject to the condition that petitioner shall join the investigation by reporting to the Investigating Officer within a period of three weeks from today and shall cooperate in course of investigation, failing which the



Investigating Officer shall be at liberty to take steps for
cancellation of his bail bond. This will be in addition to
condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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