

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.75322 of 2018**

Arising Out of PS. Case No.-330 Year-2018 Thana- DAUDNAGAR District- Aurangabad

Deepak Sao son of Late Jawahar Sao Resident of Village- Parshurampur P.S.  
Kaler, District Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Paras Nath, Advocate  
For the Opposite Party/s : Sri Parmanand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2     19-12-2018             Heard learned counsel for the petitioner and learned APP  
for the State.

Petitioner is apprehending his arrest for the offences punishable under Section 30 (a) of Bihar Prohibition and Excise Act, 2016.

It is submitted that the petitioner having no criminal antecedent has falsely been implicated in this case by one Nanhak Kumar who was arrested while driving a vehicle on which 146 liters of country made liquor is alleged to have been recovered. No recovery has been made from the petitioner. Also the recovery is not in accordance with the procedure prescribed under Section 100 Cr.P.C.

In the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. Let the above



named petitioner, in the facts and circumstances of the case, in the event of his arrest or surrender within four weeks from today, be released on bail on his furnishing bonds of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VII-cum-Special Judge (Excise), Aurangabad in Daudnagar P.S. Case No. 330 of 2018 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code.

(i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.

(ii) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

**(Madhuresh Prasad, J)**

Prakash/-

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