

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57257 of 2018

Arising Out of PS.Case No. -422 Year- 2018 Thana -GOPALGANJ TOWN District- GOPALGANJ

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Prince Kumar @ Prince, S/o Suraj Sah, Resident of Village- Ward No. 20,
Gopalganj, P.S. + District- Gopalganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Gopalganj Town P.S. Case No. 422 of 2018 registered for the
offence punishable under Section 30(a) of Bihar Prohibition and
Excise Act, 2016.

In huge quantity, bottles of Indian made foreign
liquor were recovered from a vehicle which was allegedly being
driven by one Prince at the time of alleged occurrence. However,
the informant has admitted in his written report that father's name
of aforesaid Prince could not be gathered and accordingly, the
present case was lodged against the Prince who was driver of the
seized vehicle.



It is obvious from the aforesaid fact that nothing was recovered from conscious possession of the petitioner.

Learned counsel for the petitioner submits that seized vehicle does not belong to the petitioner and furthermore, except Gopalganj P.S. Case No. 288 of 2017, petitioner does not have any other criminal antecedent.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail 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-cum-Special Judge, Excise Act, Gopalganj in Gopalganj Town P.S. Case No. 422 of 2018 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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