

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.7985 of 2019**

Arising Out of PS. Case No.-127 Year-2018 Thana- IMAMGANJ District- Gaya

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Ramashish Yadav @ Ramashish Kumar, age-36 years, Male, Son of Chamru Yadav, Resident of Village - Mayapur, P.S.- Muffasil, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s : Mr.Ansar Ul Haque

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      13-02-2019                      Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offence punishable under Section 30(d) of the Bihar Prohibition and Excise Act, 2016.

From a pickup van, 3500 Kg of Mahua flower was recovered when the FIR was lodged against the driver and owner of the vehicle in question. During investigation, it was found that the petitioner is the owner of the vehicle in question.

It is submitted by learned counsel for the petitioner that the petitioner was not aware about the Mahua being transported by the vehicle and admittedly, the petitioner was not present in the vehicle in question when it was intercepted. Moreover, Mahua flower is used for the purpose of feeding the cattle. A statement



has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is the owner of the alleged vehicle.

Considering the fact that prosecution report does not suggest that the petitioner was present in the vehicle in question when it was intercepted, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Special Excise Judge, Gaya in connection with Imamganj P.S. Case No. 127 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

**(Dinesh Kumar Singh, J)**

Amrendra/-

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