

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11542 of 2019

Arising Out of PS. Case No.-364 Year-2018 Thana- BIHPUR District- Bhagalpur

Subodh Choudhary Son of Late- Dashrath Choudhary Resident of Village-
Marwa, P.S.- Bihpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-04-2019 This is an application for grant of anticipatory bail in connection with Bihpur P.S. Case No. 364 of 2018, disclosing offences under Sections 30(a) and 38(i) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 828 liters liquor from a Bolero pickup van and the driver was arrested there and on production of paper, it appears that the petitioner is the owner of the said vehicle.

Submission of learned counsel for the petitioner is that Bolero vehicle is a commercial vehicle and it has been given on rent to some other person and the statement and F.I.R. itself shows that the liquor was of one Tuntun and he has given the vehicle on rent and the petitioner has nothing to do with the seized article and he is aged about 66 years and having no



criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission and age of the petitioner, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge Excise, Bhagalpur, in connection with Bihpur P.S. Case No. 364 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is further subject to the condition that if in future the petitioner found involve in such type of case, the prosecution shall move for cancellation of his bail bonds.

Let a copy of this order be communicated to the Senior Superintendent of Police, Bhagalpur for needful.

(Vinod Kumar Sinha, J)

Amjad/-

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