

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28568 of 2019

Arising Out of PS. Case No.-195 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Prahlad Gupta @ Prahlad, aged about 40 years, male, Son of Gupti, Resident of Village-Nerue Amawa, P.S.-Rampur, Kaarkhana, District-Deoria (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 17-07-2019 Heard learned counsel for the petitioner and APP for the State.

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

The prosecution case inter alia is that the informant namely Deepak Kumar Singh S.I. Excise submitted a written complaint stating therein that during raid a truck bearing registration No. HR-63C-4237 was seized which was loaded with several grocery items and some cartoons of liquor were concealed therein. It has further stated that neither the driver of the truck was found nor the document was found in the truck as such the case against unknown was lodged.



Learned counsel for the petitioner submitted that the petitioner has no criminal antecedent and being quite innocent, has not committed any offence as alleged in the FIR and he has falsely been implicated in the case. There is no recovery from the conscious possession of the petitioner.

Let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Excise Case No. 195 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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