

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62876 of 2019**

Arising Out of PS. Case No.-111 Year-2019 Thana- HASPURA District- Aurangabad

ANIL THAKUR Son of Late Indra Deo Thakur Resident of Village- Itava,
P.S.- Haspura, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Khurshid Anwar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 23-10-2019 Learned Counsel for the petitioner is permitted to
make necessary correction in paragraph 6 of this application.

Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Haspura Police Station Case No. 111 of 2019, disclosing
offences under Section 30 (A) of the Bihar Prohibition and
Excise Act, 2016.

The allegation against the petitioner is that the police
recovered 10127.52 litres of illicit liquor from a truck and a
pick-up van, on which the illicit liquor was being loaded from
the truck.

Learned Counsel for the petitioner submits that the
petitioner has got no criminal antecedent and his name has



transpired on the basis of the statement made by the driver of the truck, who was arrested at the spot. He further submits that the petitioner is not the owner of the truck or the pick-up van and no role of the petitioner has been attributed by the arrested driver. He further submits that no illicit liquor has been recovered from the conscious possession or the vehicles belonging to the petitioner.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession or the vehicles belonging to the petitioner and the petitioner has got no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, Anil Thakur, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge -cum- Special Judge, Excise, Aurangabad, in connection with Haspura Police Station Case No. 111 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal



Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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