

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78784 of 2019

Arising Out of PS. Case No.-629 Year-2019 Thana- SASARAM NAGAR District- Rohtas

AASHISH KUMAR Son of Prem Nath Gupta Resident of Village- Madar
Darwaja, P.S.- Sasaram, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Pandey
For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-12-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection with Sasaram (Darigao) P.S. Case No. 629 of 2019 for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

The allegation is regarding recovery of 15 liters of illicit liquor from a Maruti Wagon car, which is said to be belonging to the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent and though the car belongs to the petitioner, but the same was being driven by his driver, hence he cannot be responsible for the said recovery, thus no offence under the provisions of the Bihar Prohibition & Excise Act,



2016 is made out. It is further submitted that the petitioner is having a clean antecedent.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner above named is directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Rohtas at Sasaram in connection with Sasaram (Darigao) P.S. Case No. 629 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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