

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83992 of 2019

Arising Out of PS. Case No.-302 Year-2019 Thana- BELAGANJ District- Gaya

=====

GOVINDA KUMAR @ GOVIND KUMAR S/O Basant Saw Resident of
Pundaul, P.S.- Goh, Punaul, DIS-Aurangabad-824203, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ravi Kumar

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

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 read with Rules 2e, 3 5b, 18 and 42 of the Bihar Excise (Mahua Flowers) Rules, 2006.

It is alleged that from the pick-up van of the petitioner, 150 kilograms of Mahua flower were recovered.

It is submitted by learned counsel for the petitioner that the prosecution case does not suggest commission of any offence under the Bihar Prohibition and Excise Act, 2016. Moreover, the petitioner is the owner of the vehicle but he was not present when the seizure was made and it was the driver of the vehicle in question who was carrying Mahua flower. Statement has been made in paragraph 3 of the petition that the



petitioner is not having any criminal antecedent.

Learned APP submits that the recovery of Mahua flower was made from the vehicle of the petitioner.

Considering the fact that the offence alleged is covered by the Bihar Excise (Mahua Flowers) Rules, 2006 and the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Gaya in connection with Belaganj P.S. Case No. 302 of 2019 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

