

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8024 of 2020

Arising Out of PS. Case No.-170 Year-2019 Thana- FULKAHA District- Araria

DEEP NARAYAN CHAUDHARI Son of Late Mahanthi Chaudhari Resident
of Kumarganj, Ward No. 12, Tharpitiyan, P.S.- Kishanpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat

For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending arrest in connection with Special Case No. 1485 of 2019 arising out of Fulkaha P.S. Case No. 170 of 2019 for the offence under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is that the vehicle of the petitioner was used in carrying liquor. In the instant case a total of 107 litres was seized. It appears from Annexure-2 that the driver of the vehicle reported the owner about the snatching of the vehicle and on enquiry the complaint of snatching of vehicle was found incorrect.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent. The entire act of carrying liquor was done by the driver and his associate, keeping the



petitioner in complete dark.

Considering the fact that petitioner has no criminal antecedent and he is only the owner of the vehicle which was allegedly used for carrying liquor, the Court is inclined to grant bail to the petitioner, in the event of arrest or surrender within four weeks from today, on furnishing bail bond of Rs.50,000/- (Fifty thousand) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge-cum-Special Judge, Araria in connection with Special Case No. 1485 of 2019 arising out of Fulkaha P.S. Case No. 170 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Upadhyay, J)

Rishi Kumar/-

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