

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10824 of 2020

Arising Out of PS. Case No.-158 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Katihar

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SETUNATH PODDAR S/O- Shankar Poddar R/o- Tingachhia, P.S.- Katihar
Nagar, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh
For the Opposite Party/s : Ms. Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-03-2020 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending arrest in connection with Case No. C I - 158 of 2019 for the offence under Section 30(a) of the Bihar Excise and Prohibition Act.

Allegation against the petitioner is that in the instant case approximately 203 litres liquor was seized from Mahendra Bolero car which belongs to this petitioner.

Learned counsel for the petitioner submits that the petitioner has handed over his car to one Anil Munda on monthly rental of Rs. 30,000/-. He was unaware of the fact that his car may be used for carrying liquor and has been made accused simply because he is the owner of the vehicle. He further submits that except the fact that the petitioner is the



owner of the vehicle, there is no material to connect the petitioner for commission of any offence.

Considering the fact that petitioner has no criminal antecedent and nothing was recovered from his conscious and immediate possession, 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 Sessions Judge-II-cum-Special Judge (Excise), Katihar in connection with Case No. C I- 158 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In the event in future, if the petitioner is found to be involved in any such activities, the Court below shall be at liberty to cancel his bail bonds.

(Anil Kumar Upadhyay, J)

Rishi Kumar/-

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