

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2061 of 2020

Arising Out of PS. Case No.-165 Year-2019 Thana- GOVINDPUR District- Nawada

Bipul Kumar Saw @ Bipul Kumar, son of Om Prakash Saw, Resident of Village-Samaldih (Basodih), P.S.-Satgawan, District-Koderma (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Govindpur P.S. Case No. 165 of 2019, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner, as per the first information report, is that the Police intercepted one Bolero Pick-up Van and recovered 608 litres of illicit liquor from the said vehicle and also arrested the driver of the said vehicle, Rajendra Kumar, who disclosed the name of the petitioner as the owner of the vehicle.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case inasmuch as



the petitioner is the owner of the vehicle and the vehicle in question was being driven by the driver at the time of seizure of the illicit liquor. He further submits that the driver, without the knowledge or permission of the petitioner, was carrying illicit liquor on the said vehicle and the petitioner is not responsible for the said. Learned counsel further submits that the petitioner has got no criminal antecedent.

After having heard learned counsel for the parties and taking into consideration the fact that the petitioner is the owner of the vehicle and the driver of the vehicle was arrested by the Police along with illicit liquor and that 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, above named, 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. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Nawada, in connection with Govindpur Police Station Case No. 165 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal



Procedure.

(Anil Kumar Sinha, J.)

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