

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24333 of 2021

Arising Out of PS. Case No.-2 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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ARVIND KUMAR SAW S/o Gurudeo Saw R/ Vill- Suturkhana, P.O.- Bank,
Harpur, P.S.- Muffasil, Dist- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar Choudhary, Adv.
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-12-2021 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects, office will place the matter before the Bench.

The petitioner apprehends his arrest in connection with Excise Complaint Case No.02/2020, registered for the offence u/s 30(a) of the Bihar Prohibition and Excise Act 2018.

Altogether 211 liters of foreign liquor is said to have been recovered from a white pick up van without number plate. The driver was arrested on the spot. Petitioner is the owner of the said vehicle.

Learned counsel for the petitioner submits that petitioner



is quite innocent and has not committed any offence as alleged in the FIR. No such occurrence has ever taken place. Petitioner has been falsely implicated in this case due to local politics. His name transpired in the case on the basis of confessional statement of the driver. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized liquor or any trade of liquor. The petitioner had no knowledge about the illicit liquor loaded on the van which was driven on hire basis by his brother. Petitioner has no criminal antecedent.

Petitioner is agreed to deposit a sum of Rs. 50,000.00/- (Rupees Fifty Thousand) in the Patna High Court Legal Services Committee, Patna.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Excise Complaint Case No.02 of 2020, subject



to the condition as laid down under Section 438 (2) of the
Cr.P.C.

The bail bond of the petitioner shall be accepted by the
learned Court below on showing receipt of deposit of
Rs.50,000.00/- (Rupees Fifty Thousand) in the Patna High Court
Legal Services Committee.

(Anjani Kumar Sharan, J)

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