

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2175 of 2021

Arising Out of PS. Case No.-183 Year-2017 Thana- NAVINAGAR District- Aurangabad

Jai Prakash Sharma Late Sheo Kumar Sharma Resident of Raigarh, Shahid
Chauk, P.S.-Kharasia, District-Raigarh (Chhatisgarh).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-12-2021 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected
to honour his undertaking given in the instant case for
depositing the requisite court fee and to remove the
defects as pointed out by the office when called upon to
do so by the office.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under
Sections 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 27 litres of country made
liquor from a bag kept on a motorcycle. The petitioner is



said to be the owner of the alleged motorcycle.

It is submitted by learned counsel for the petitioner that although the petitioner is the first owner of the motorcycle in question but much before the seizure, the petitioner has sold the alleged motorcycle to on Raju Chauhan on 28.12.2011. A document to that effect has been brought on record as Annexure-2. Moreover, the motorcycle in question was stolen away on 28.12.2011, for which the second owner Raju Chauhan has lodged a *Sanha* on 03.01.2012. A typed copy of the *Sanha* has been brought on record as Annexure-3 of the petition. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands)



with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Judge, Excise, Aurangabad in connection with Nabinagar P.S. Case No. 183 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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