

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6291 of 2022

Arising Out of PS. Case No.-369 Year-2021 Thana- MADANPUR District- Aurangabad

PRABHU DAYAL S/o Late Baburam Saw Resident of- Ward No. 23, Old
Munsafi near Paramount Press, P.S.- Aurangabad Town, District- Aurangabad
(Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Leelawati Kumari, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(a), 37(b) and 37(c) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

It is a case of recovery of only 375 ml. foreign made liquor from a vehicle bearing Registration No.BR-26G-3191 which belongs to the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that one Yogesh Sharma has asked to petitioner for his vehicle urgently on friendly terms to take people in



marriage procession (Barat) to Dev where marriage ceremony was being held because Yogesh Sharma had sudden shortage of vehicles for marriage procession (Barat), the petitioner in good faith and on friendly terms gave his Mahindra Scorpio vehicle bearing Registration No. BR-26G-3191 to one Yogesh Sharma to take people from his house to Dev for attending marriage. Petitioner has got clean antecedent.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid submissions and also the fact that meager quantity of liquor was recovered, 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 thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge – Excise-I, Aurangabad (Bihar) in connection with Madanpur P.S. Case No. 369 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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