

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18619 of 2022**

Arising Out of PS. Case No.-65 Year-2021 Thana- MEHANDIA District- Jehanabad

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Arun Kumar Yadav Son Of Late Chandrika Rai R/O Village- Khodaibag, P.S.-
Garkha, District- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh

For the Opposite Party/s : Mr.Parmanand Kumar

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 02-11-2022 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 Section

30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 2186 litres of Indian made

Foreign Liquor from a truck. The driver of the truck was

apprehended who disclosed the name of the petitioner as

the owner of the truck.

It is submitted by learned counsel for the

petitioner that petitioner was not apprehended from the

spot. Nothing has been recovered from the conscious



possession of the petitioner. Though the petitioner is owner of the truck in question but he has given the said vehicle on rent and he had no knowledge about illicit liquor being carried on his truck. A supplementary affidavit to that effect has been filed. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

The petitioner is directed to deposit a sum of Rs. 1,00,000/-(Rupees One Lakh) in the District Legal Services Authority, Jehanabad.

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 Special Excise Court No. 2, Jehanabad in connection with Mehandia P.S. Case No. 65 of 2021, subject to the conditions 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. 1,00,000/-(Rupees One Lakh) in District Legal Services Authority, Jehanabad.

(Sunil Kumar Panwar, J)

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