

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27288 of 2022

Arising Out of PS. Case No.-345 Year-2018 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Raja Tiwary @ Raja Tiwari Son Of Late Raju Tiwary Resident Of Village -
Gopalpur, P.S. - Hussainganj, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh
For the Opposite Party/s : Mr.Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-11-2022 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

Sections 30(a)(c)(d), 36, 38, 41(i) of the Bihar

Prohibition & Excise Act.

There is recovery of 40 litres of Indian made

foreign liquor from a motorcycle. The petitioner is owner

of the motorcycle.

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. The petitioner is only owner of the vehicle in question and co-villager of the petitioner has taken his motorcycle in good faith with a false reason of medical emergency. 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. 10,000/-(Rupees Ten Thousand) in the District Legal Services Authority, Siwan.

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 Exclusive Special Excise Court No. 1, Siwan in connection with G.B. Nagar P.S. Case No. 345 of 2018, 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. 10,000/- (Rupees Twenty Thousands) in District
Legal Services Authority, Siwan.

(Sunil Kumar Panwar, J)

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