

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31061 of 2022

Arising Out of PS. Case No.-150 Year-2021 Thana- BYPASS District- Patna

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Gaurav Kumar Son Of Sri Sharma Ram Resident Of Village- New Atwarpur
(KURTHAUL) P.S- Parsa Bazar , Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad

For the Opposite Party/s : Mr.Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-11-2022 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 330.105 litres of Indian Made Foreign Liquor from a magic van. The petitioner is owner of the alleged vehicle.

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 name of the petitioner has come only because he is the owner of the said vehicle and he has no concern with the seized illicit liquor. It is also submitted that the petitioner has given his



vehicle on rent. 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.25,000/-(Rupees Twenty Five Thousands) in the District Legal Services Authority of concerned district.

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 Judge, Excise, Patna in connection with Special (Excise) Case No. 3090 of 2021, arising out of Bypass P.S. Case No. 150 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. 25,000/-(Rupees Twenty Five Thousands) in District Legal Services Authority of the concerned district.

(Sunil Kumar Panwar, J)

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