

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31938 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Biru Kumar Son Of Late - Prem Uchit Azad Resident Of Village - Salimpur,
P.S. - Salimpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Manglam
For the Opposite Party/s : Mr.Md. Mushtaque Alam

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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 45.50 litres of Indian

made Foreign Liquor from a Maruti Swift car. One

person was apprehended who disclosed the name of the

petitioner as the owner of the 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. Though the petitioner is owner of the truck in question but he has given the said vehicle to the driver namely Santosh Kumar Mishra and he had no knowledge about illicit liquor being carried on his vehicle. 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. 20,000/-(Rupees Twenty Thousands) in the District Legal Services Authority, Patna.

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 Act, Patna in connection with Prosecution Case No. EI-40 of 2022,



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. 20,000/-(Rupees Twenty Thousands) in District Legal Services Authority, Patna.

(Sunil Kumar Panwar, J)

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