

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33182 of 2022

Arising Out of PS. Case No.-74 Year-2021 Thana- KUCHAIKOTE District- Gopalganj

Aditya Sharma Son Of Indrapal Sharma Resident Of Village - Housr
No.20wh28nh2, Near Tikonapark, P.S.- Faridabad, Distt.- Hariyana.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baijnath Sah

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-11-2022 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 2202.75 litres of Indian made
Foreign Liquor from a truck bearing registration No. HR-
38X-8455. The driver of the vehicle namely, Shivpal
Sharma, was apprehended. The petitioner is owner of the
seized truck.

It is submitted by learned counsel for the petitioner
that petitioner is innocent and he has falsely been
implicated in the present case. It is also submitted that



neither the petitioner was apprehended from spot nor anything has been recovered from his conscious possession. It is further submitted that petitioner has no concern with the seized illicit liquor. The name of the petitioner has sprang up in this case only because he is the owner of the seized truck. The petitioner is the owner of commercial vehicle and is running on the direction of the transport agency. It is also mentioned that petitioner has no concern in any manner from the alleged recovered illicit liquor. 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 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 Additional District Judge II-cum-Special Excise



Judge, Gopalganj in connection with Kuchaikote P.S. Case
No. 74 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. 1,00,000/-(Rupees One Lakh) in District Legal Services
Authority of concerned district.

(Sunil Kumar Panwar, J)

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