

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42500 of 2021

Arising Out of PS. Case No.-36 Year-2021 Thana- AMBA District- Aurangabad

=====

Pintu Kumar, son of Ganauri Prasad Gupta Resident of Village - Ramna, P.S.-
Ramna, Distt.- Gadhwa(Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. A.G

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 12-04-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 30(a), 37(b)(c) of the Bihar Prohibition &

Excise Act.

The prosecution case as per F.I.R is that

during checking one Scorpio vehicle tried to escape



which was chased. In the vehicle, seven persons were found sitting in a drunken condition. After search, one bottle of Indian made foreign liquor containing 750 ml and three bottles of Indian made foreign liquor each containing 650 ml were recovered and seized. The petitioner is alleged to be the owner of the seized vehicle.

It is submitted by learned counsel for the petitioner that petitioner was not apprehended from the spot nor anything has been recovered from the conscious possession of the petitioner. So far as seized vehicle is concerned, a supplementary affidavit has been filed to the effect that much before seizure of the alleged vehicle, on 28.11.2020, the petitioner has sold the vehicle to one Upendra Kumar Saw and in this connection, proper application was submitted before D.T.O, Palamu to transfer the ownership of the vehicle and on the basis of such application, the D.T.O, Palamu has issued certificate of Registration in the name of



Upendra Kumar Saw. A photocopy of the certificate of registration of Upendra Kumar Saw is annexed as Annexure-1 to the supplementary affidavit. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum-Special Judge, Excise, Aurangabad in connection with Amba P.S. Case No. 36 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

