

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34060 of 2022

Arising Out of PS. Case No.-431 Year-2020 Thana- BARAUNI District- Begusarai

Bhola Soni S/O Kailash Pd. Soni R/O Village- Haldi Patti Gandhi Road
Dhansar, P.S.- Dhanbad, Distt.- Dhanbad (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-09-2022 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 495 litres of Indian made Foreign Liquor from a pick-up van. The driver of the vehicle namely Deepak Kumar was apprehended. The petitioner is owner of the alleged pick-up van.

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. The petitioner has given the vehicle to the driver for his livelihood and he 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. 40,000/-(Rupees Forty Thousands) in the District Legal Services Authority, Begusarai.

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 Excise Court, 1st, Begusarai in connection with Barauni P.S. Case No. 431 of 2020, 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. 40,000/-(Rupees Forty Thousands) in District
Legal Services Authority, Begusarai.

(Sunil Kumar Panwar, J)

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