

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37308 of 2022**

Arising Out of PS. Case No.-28 Year-2019 Thana- GANGABRIDGE District- Vaishali

Balwan Singh Son Of Sri Bhana Ram Resident Of Village- Danga (Mangla),
Police Station- Hisar, District- Hisar And State- Haryana 125001

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Chandra

For the Opposite Party/s : Mr.Pronoti Singh

**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 3064.500 litres of Indian made Foreign Liquor from a truck bearing registration No. HR-39D-5877. One person apprehended from the spot who disclosed his name as Pahari Rai. The petitioner is owner of the alleged 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 not apprehended from the spot nor anything incriminating has been recovered from his conscious possession. The name of the petitioner has come only because he is the owner of the said vehicle. The petitioner has given the vehicle to transporter, namely, Ravi, for his livelihood and he has no concern in any manner from the alleged recovered illicit liquor. It is further submitted that petitioner is suffering from cancer and he is admitted in hospital. 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. 80,000/-(Rupees Eighty 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 eight 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 Sessions Judge II-cum-Excise Court, Vaishali, Hazipur in connection with Ganga Bridge P.S. Case



No. 28 of 2019, 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. 80,000/-(Rupees Eighty Thousands) in District Legal
Services Authority of concerned district.

(Sunil Kumar Panwar, J)

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