

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37615 of 2022**

Arising Out of PS. Case No.-465 Year-2021 Thana- KORHA District- Katihar

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Gulson Kumar S/O Chhathu Sah Resident Of Village- Mirzapur Makdampur
Pawai, P.S.- Korha, District- Katihar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section 30(a)
of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 990 litres of liquor from a pick-up van. Further,
422.28 litres of liquor was recovered from two other pick-up
van.

The learned counsel for the petitioner submits that the
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that the petitioner came to be implicated as he is owner of the
pick-up van from which 990 litres of liquor is alleged to have
been recovered. The learned next submits that petitioner was



completely unaware that the driver would misuse the vehicle for carrying out the said illegal activity. The learned counsel next submits that no registered owner and a prudent man would indulge in an offence which would lead to seizure of his vehicle and thus, will create problem in his business.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner and the fact that the petitioner is man of clean antecedent, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Korha P. S. Case No.465 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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