

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40000 of 2022

Arising Out of PS. Case No.-7 Year-2020 Thana- BAISI District- Purnia

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Panna Lal Prasad Son Of Dhruv Prasad Resident Of Village - Semra Hat P.S.-
Turkaulia, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 06-12-2022 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 Sections 272 and 273 of the Indian Penal Code and Sections 30(a), 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

It is a case of recovery of 3102.750 liters of English wine from a truck bearing Registration nos.UP53L-9986, which belong to this petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that petitioner was earlier owner of the said truck but the said truck was sold to Sitaram Yadav, son of Tribeni Rai, village-Podar Katta Puran Tola, P.S. Motipur,



District- Muzaffarpur on 14.08.2018 and sale letter was prepared to that effect with due sworn affidavit dated 14.08.2018 along with prescribed format for transfer of the vehicle by DTO but the said vehicle could not be transferred through DTO, Motihari and the said truck remain in the name of the petitioner on record and Sitaram Yadav misuse the vehicle and on account of the truck standing in the name of the petitioner on record which has been figured in this case whereas the petitioner has no concern at all with the aforesaid seized truck and seized wine. He further submits that petitioner is ready to deposit Rs.80,000/- in favour of the District Legal Services Authority, Purnea.

Learned APP appearing for the State opposed the anticipatory bail and submitted that the petitioner is a registered owner of the vehicle in question, seized on the spot.

Considering the aforesaid submissions, 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 thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge Court No-I, Purnea in connection with Baisi P.S.



Case No. 07 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C with further condition that at the time of furnishing bail bond, the petitioner shall produce receipt of Rs.80,000/ meant to be paid to District Legal Services Authority, Purnea.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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