

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39651 of 2022

Arising Out of PS. Case No.-220 Year-2022 Thana- CHAKIA District- East Champaran

Mohammad Alam S/O Mustakim Resident Of Village- Guladiya Kankar
Khera P.S.- Bhojpur, District- Moradabad (U.P).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-11-2022 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 Sections
30(a), 32(2) of the Bihar Prohibition & Excise Act.

There is recovery of 2933.64 litres of Indian
made Foreign Liquor from a Truck. 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 only on the basis of
suspicion. He 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 liquor was not being carried by the said truck within the knowledge of the petitioner and he was in the impression that articles and parts of bicycle were loaded. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned A.P.P. appearing on behalf of the State, vehemently opposed the prayer of anticipatory bail of the petitioner and submitted that petitioner is the owner of the truck in question.

The petitioner is directed to deposit a sum of Rs. 1,00,000/-(Rupees One Lakh) in the District Legal Services Authority, East Champaran.

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 Special Judge, Excise, Motihari, East Champaran in



connection with Chakia P.S. Case No. 220 of 2022, 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. 1,00,000/-(Rupees One Lakh) in District Legal Services Authority, East Champaran.

(Sunil Kumar Panwar, J)

nirajkrs/-

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

