

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47285 of 2022

Arising Out of PS. Case No.-7 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Buxar

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Kundan Kumar Singh Son Of Satdev Singh Resident Of Village - Chilhari,
P.S.- Dumraon, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mohit Shriwastava
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-11-2022 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(3) of the Bihar Prohibition & Excise Act.

There is recovery of 77.4 litres of Indian made
Foreign Liquor from motorcycle. Two persons, namely,
Manoj Kumar and Vishal Kumar apprehended from the
spot. They disclosed the name of the petitioner as the owner
of the alleged motorcycle.

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 surfaced in this case only because he is the owner of the said vehicle. One apprehended person, namely, Manoj Kumar is the Cousin of the petitioner who took the motorcycle of the petitioner from the petitioner's mother. It is also submitted that the petitioner 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. 10,000/-(Rupees Ten Thousands) in the District Legal Services Authority, Buxar.

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 No. II, Buxar in connection with Buxar Excise P.S. Case No. 07 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. 10,000/-(Rupees Ten Thousands) in District Legal
Services Authority, Buxar.

(Sunil Kumar Panwar, J)

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