

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49602 of 2022

Arising Out of PS. Case No.-246 Year-2019 Thana- JANDAHA District- Vaishali

HARI PAL S/o Shri Bhal Singh R/o village- Bishanpura, P.S.- Jind, District- Jind (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Majid Mahboob Khan

For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Jandaha P.S. Case no. 246 of 2019 instituted for the offence under Section 414 of Indian Penal Code and Sections 30(a), 38(i), 41(i) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of total 2969 liters country made foreign liquor from a truck bearing Registration No. HR-56N-7147.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery of illicit country made foreign



liquor. It is further submitted vide para 15 of the petition that the petitioner is registered owner of the said truck bearing Registration No. HR-56N-7147 but he handed over and given full control of vehicle in question to one Kuldeep Singh, who bears the full responsibility with regard to the said vehicle.

Learned APP appearing for the State has opposed the prayer of Bail.

The petitioner is directed to deposit a sum of Rs 80,000/- (Eighty Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Jandaha P.S. Case no. 246 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-cum-Additional District and Sessions Judge, Vaishali at Hajipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.



The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 80,000/- (Rs. Eighty thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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