

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53389 of 2022**

Arising Out of PS. Case No.-70 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

Pradeep Kumar Sahu Son Of Raj Kumar Sahu R/O Village- Jaidevpatti, Tole-
Lalapatti, P.S.- Ghanshyampur, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha
For the Opposite Party/s : Mr. Mohammed Arif

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 16-11-2022 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 G.O. Case No. 70 of 2020 instituted for the offence under
Sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 828.7 liters
country made foreign liquor from a Mahindra Genio Pickup
vehicle bearing Reg. No. BR06-GA-6758.

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 liquor or with the



place of occurrence. It is further submitted that the petitioner was owner of the said vehicle in the year of 2013 but he sold the said vehicle to one Ritesh Kumar Jha on 06.06.2018 but did not transfer the ownership of his vehicle due to some unavoidable reason. It is further submitted that neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

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

The petitioner is directed to deposit a sum of Rs 30,000/- (Thirty 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 G.O. Case No.70 of 2020, 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 Special Judge, Excise Act, District-Madhubani 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. 30,000/- (Rs. Thirty thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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