

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54381 of 2022

Arising Out of PS. Case No.-186 Year-2022 Thana- LAXMIPUR District- Jamui

Kanshi Rana Son Of Doman Rana Resident Of Village - Dhawatand, P.S.-
Chandramandih, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha

For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-11-2022 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 Section 272, 273 of Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 10 litres of country made Liquor from a motorcycle. The driver of the motorcycle fled away from the place of seizure. The driver of the motorcycle apprehended from the spot namely, Golu Kumar. The petitioner is 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 only because he is the owner of the said motorcycle. It is also submitted that the son of petitioner has given the aforesaid motorcycle to his friend ie. apprehended person, for his personal work. The petitioner has no concern with the seized illicit liquor. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing on behalf of the State vehemently opposed the prayer of petitioner and submitted that the petitioner is the owner of the aforesaid motorcycle.

The petitioner is directed to deposit a sum of Rs. 5,000/-(Rupees Five Thousands) in the District Legal Services Authority of concerned district.

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 Exclusive Excise Court I, Jamui in connection with Laxmipur (Gidhaur) P.S. Case No. 186 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. 5,000/-(Rupees Five Thousands) in District Legal Services Authority of concerned district.

(Sunil Kumar Panwar, J)

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