

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56968 of 2022

Arising Out of PS. Case No.-184 Year-2020 Thana- KALYANPUR District- Samastipur

Shambhu Kumar Sah S/O Bhola Sah Resident Of Village- Rasalpur Baghala,
P.S.- Chak Mehshi, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 14-12-2022 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), 41(i)(ii), 47 of the Bihar Prohibition & Excise Act.

There is recovery of 675 litres of Indian Made Foreign Liquor from a pick-up van. The petitioner is owner of the seized pick-up van.

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 petitioner has already sold the vehicle to one Budhan Sahni through agreement paper, however, the ownership could not be transferred. The petitioner has no concern with the 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. 30,000/-(Rupees Thirty Thousands) in the District Legal Services Authority, Samastipur.

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 Excise Court No. 1, Samastipur in connection with Kalyanpur P.S. Case No. 184 of 2020, 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. 30,000/-(Rupees Thirty Thousands) in District
Legal Services Authority, Samastipur.

(Sunil Kumar Panwar, J)

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