

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57020 of 2022

Arising Out of PS. Case No.-343 Year-2021 Thana- BIKRAMGANJ District- Rohtas

GANESH PRASAD Son of Banarsi Prasad Resident of Village - Nawadih,
P.S. - Nawadih, District - Palamu (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2, Advocate

For the Opposite Party/s : Ms. Asha Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period of
four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

Allegation is of recovery of 3011.04 litres of liquor
from a truck.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that petitioner came to be implicated as he is owner of the seized



truck. It is next submitted that petitioner is a businessman and no prudent man would use his own vehicle for carrying an illegal activity and thus create evidence against himself and at the same time would also jeopardize his own business. It is also submitted that the petitioner was completely unaware that the driver would misuse the vehicle for said illegal purpose.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bikramganj P.S. Case No. 343, 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

