

Arising Out of PS. Case No.-444 Year-2022 Thana- HISUWA District- Nawada

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... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-11-2022 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 Hisua P.S. Case no. 444 of 2022 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 120 liters country made liquor from a motorcycle bearing Registration No. BR02BA975A which belongs to the petitioner.

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. It is admitted fact that the petitioner is registered owner of the said motorcycle but he has no concern with the alleged recovery of illicit country



made liquor or with the place of occurrence. 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 and submitted that the petitioner is owner of the said motorcycle.

The petitioner is directed to deposit a sum of Rs 20,000/- (Twenty 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 Hisua P.S. Case no. 444 of 2022, 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 Judge, 1st Nawada 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.
20,000/- (Rs. Twenty thousand) by the petitioner in the account
of the concerned DLSA.

(Sunil Kumar Panwar, J)

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