

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64383 of 2022

Arising Out of PS. Case No.-838 Year-2021 Thana- GARKHA District- Saran

Saurav Kumar Chaudhary Son Of Umesh Prasad Chaudhary R/V- Gudari
Main Road, P.S.- Bhagwan Bazar, District- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-12-2022 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 Section
30(a), 36, 41 of the Bihar Prohibition & Excise Act.

There is recovery of 155.520 litres of Indian
made Foreign Liquor from a Tata Sumo Victa vehicle
bearing registratin No. BR01-PA-3995. Driver of the
alleged vehicle was apprehended from spot who disclosed
his name as Law-Kush Rai. Petitioner is the owner of
alleged vehicle.

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 come only because he is the owner of the said vehicle. It is also submitted that petitioner had sold the vehicle in question to one Devendra Kumar Singh and accordingly the sale letter of the vehicle was executed in favour of Devendra Kumar Singh @ Jugnu Singh on 04.07.2013. and petitioner has no concern with the alleged vehicle. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP vehemently opposed the prayer of petitioner and submitted that petitioner is the registered owner of the vehicle in question.

The petitioner is directed to deposit a sum of Rs. 30,000/-(Rupees Thirty 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 Additional District and Sessions Judge 2nd -cum-1st Exclusive Special Judge, Excise, Saran, Chapra in connection with Garkha P.S. Case No. 838 of 2021, 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 of concerned district.

(Sunil Kumar Panwar, J)

nirajkrs/-

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

