

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67120 of 2022

Arising Out of PS. Case No.-233 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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Raushan Kumar Son Of Raj Mangal Ray Resident Of Ward No.-14, Mayil,
P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Meena Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-12-2022 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), 32(i), 32(3), 41(1), 41(ii) of the Bihar Prohibition
& Excise Act.

There is recovery of 17.280 litres of Indian made
Foreign Liquor from a motorcycle bearing registration
No. BR-31AH-7060. One person was apprehended from
the spot who disclosed his name as Amit Kumar and he
also disclosed the name of petitioner as a person who



fled away from the place of seizure. 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 come only because he is the owner of the said vehicle. The petitioner has given the aforesaid motorcycle to his friend namely, Amit Kumar, and petitioner has no concern in any manner from the alleged recovered 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. 10,000/-(Rupees Ten 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 Special Excise Court 2nd -cum-Additional Sessions Judge, Hajipur, Vaishali in connection with Hajipur Excise P.S. Case No. 233 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. 10,000/-(Rupees Ten Thousands) in District Legal Services Authority of concerned district.

(Sunil Kumar Panwar, J)

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