

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5525 of 2023

Arising Out of PS. Case No.-121 Year-2021 Thana- DANIYAWAN District- Patna

KISHORI ROY S/O BANWARI ROY Resident of Village- Lakhari, P.S.-
Giridih, District- Giridih (Jharkhand).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan Singh

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 29-04-2023 Heard learned counsels for the petitioner and the

State.

Petitioner apprehends arrest in connection with

Daniyawar P.S. Case No. 121 of 2021 registered for the offence

punishable under Section 30(a) of the Bihar Prohibition and

Excise Act.

Learned counsel appearing for the petitioner submits

that petitioner has been falsely implicated in this case. Nothing

has been recovered from the conscious possession of this

petitioner. Although the vehicle from which the alleged recovery

has been made belongs to this petitioner, but it was his driver

who had taken away his vehicle and was not returning the same

to the petitioner. In this regard, petitioner had lodged Giridih

Nagar P.S. Case No. 177 of 2021 in which charge sheet has



already been submitted against his driver, as is evident from Annexure- 2 and 3. Petitioner has no concern with the seized article. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above named, be released on bail on furnishing personal bond to the satisfaction of Special Judge, Excise, Patna City in connection with Daniyawar P.S. Case No. 121 of 2021 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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