

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49282 of 2023

Arising Out of PS. Case No.-587 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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SUDHAKAR KUSHWAHA S/O SUBASH KUSHWAHA R/O Village-
Padari, Deoria Pandey, P.S and Distt.- Kushinagar (U.P).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pritish Ranjan
For the Opposite Party/s : Mr.Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-08-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Excise PS Case No. 587 of 2023 dated 30/05/2023 registered under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the FIR a Maruti Swift Car was intercepted by the Police from where Police recovered 120 liters of foreign liquor and arrested two persons, including the driver, who were sitting in the Car.

4. Learned counsel for the petitioner submits that petitioner has been made accused on the basis of his being the owner of the car and he was not arrested from the spot. He further submits that the car in question was given to the driver



for running it on rental basis and the petitioner was not aware about illicit liquor being kept therein by the driver. The petitioner has got no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the submission advanced by learned counsel for the petitioner that the car was given to the driver for running it on hire basis and the petitioner has got no criminal antecedent, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Addl. District and Sessions Judge-IV-cum-Exclusive Spl. Excise Court No. II, Gopalganj in connection with Excise PS Case No. 587 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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