

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49448 of 2023

Arising Out of PS. Case No.-277 Year-2016 Thana- HISUWA District- Nawada

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PRAMOD KUMAR @ GUDDU BAHADUR @ PRAMOD VERMA Son of
Late Bhanu Verma Resident of Village-Ajad Mohalla, P.S.-Jhumari Tilaiya,
District-Koderma (Jharkhand)

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-08-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Hisua PS Case No. 277 of 2016 dated 31.12.2016 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the First Information Report the Police intercepted a truck with 6864 bottles of illicit liquor and arrested the driver sitting therein. The driver disclosed the name of one Manoj Yadav under whose instruction the illicit liquor was being transported.

4. Learned counsel for the petitioner submits that petitioner is not named in the First Information Report. On the disclosure of the name of Manoj Yadav, a raid was conducted in



the house of Manoj Yadav who told the Police that Sanjay Yadav is the trader of illicit liquor and supplies liquor in Bihar and members of his group are petitioner along with nine (09) other persons whose names have been disclosed. Learned counsel next submits that the petitioner is neither the owner nor the driver of the truck in question and has no concern with the illicit liquor which has been recovered from the said truck. The name of the petitioner has come on the statement of the co-accused allegedly made before the raiding party. Learned counsel further submits that criminal antecedent of the petitioner described in the impugned order has wrongly been mentioned therein inasmuch as the petitioner has explained it in detail in paragraph- 3 of the bail petition.

5. Regard being had to the submission made by the parties, taking into consideration the fact that no illicit liquor has been recovered from the conscious possession and / or vehicle belonging to the petitioner and he is not named in the F.I.R., 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 learned Exclusive Special Excise Judge 1st, Nawada / court concerned in connection with Hisua PS Case No. 277 of 2016 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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