

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58389 of 2023

Arising Out of PS. Case No.-473 Year-2022 Thana- TAJPUR District- Samastipur

Prince Kumar S/O Dinesh Ray R/O Vill - Morwa Anandpur, P.S. - Tajpur,
Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Tajpur P.S. Case No. 473 of 2022 instituted under Section 30(a), 41(1), 41(2) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 48.225 litres of illicit foreign liquor was recovered from the Bolero vehicle and the allegation against the petitioner is that he fled away from the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He is neither the owner of the seized Bolero vehicle nor he was the driver of the vehicle. There is no recovery from the conscious possession of the petitioner. He further submits that



petitioner was not present at the place of occurrence. Petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge (Excise)-2, Samstipur in connection with Tajpur P.S. Case No. 473 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

ashutosh/-

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

