

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64564 of 2023

Arising Out of PS. Case No.-83 Year-2019 Thana- KEWATI District- Darbhanga

Sawai Ram S/o Sarupa Ram, R/o Village- Puniyo Ki Dhani, Gangala, P.S-
Ramsar, Distt.- Barmer, State- Rajasthan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nidhi Anand, Advocate.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Darbhanga (Keoti) P.S. Case No. 83 of 2019 dated 03.06.2019, instituted under Sections 30(a), 38(i), 41(i) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is total recovery of 7260.810 liter foreign liquor from the truck, pickup van and two motorcycles.

4. Learned counsel for the petitioner submits that the petitioner is the owner of truck but he was unaware about the fact that the truck was used for carrying the illicit liquor. He further submits that petitioner was not apprehended on the spot and nothing has been recovered from his conscious possession.



Learned counsel further submits that antecedent of petitioner is clean and he is ready to co-operate in the investigation.

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/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Judge-1 (Excise Act) at Darbhanga in connection with Darbhanga (Keoti) P.S. Case No. 83 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J.)

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