

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69522 of 2022**

Arising Out of PS. Case No.-111 Year-2022 Thana- GOPALPUR District- Gopalganj

SANDEEP KAUSHIK S/O RAMROOP Resident of village- Shahpur, Issrana
Panipat, Shahpur (89), P.S.- Isserana, District- Panipat, Haryana-132107

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Md. Mushtaque Alam,APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 06-01-2023 No one appears on call.

Mr. Md. Mushtaque Alam, learned APP for the State
is present through video conferencing in view of the COVID 19.

The petitioner apprehends his arrest in connection
with Gopalpur P.S. Case No. 111 of 2022 for the offence
registered under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

As per the prosecution story, the police intercepted a
car, but some managed to escape. The police seized 443.640
litres of liquor from the said Hyundai Creta Car and accordingly,
seizure list prepared and FIR lodged.

As per the petition, the car belongs to Orix Auto
Infrastructure Services Limited and the same was given on hire
to one Ashish, son of Dharampal in the District of Jhajhar,
Haryana. As per the further averment in the petition, the owner



of the vehicle had no role to play in the matter in view of the fact that they are in the business of providing the car on hire to the people concerned.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

Taking into account the aforesaid fact that the recovery is not from the conscious possession of the petitioner, as per the averment made in the petition, they are in the business to providing the car on hire to the people and the same was given to one Ashish, as stated above and he do not have any criminal antecedent, this Court is inclined to grant him relief.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. District and Session Judge-IV-Cum-Special Excise Court No. II, Gopalganj in connection with Gopalpur P.S. Case No. 111 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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

