

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63872 of 2023

Arising Out of PS. Case No.-364 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Guddu Paswan Son of Banai Paswan R/o vill - Subhai, P.S. - Vaishali,
District. - Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-10-2023 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Sadar P. S. case no. 364 of 2019, disclosing
offences punishable under Section 30(a) of Bihar Prohibition
and Excise Act.
3. As per the first information report, total quantity of
1861.900 liters of illicit liquor has been recovered from the
truck owned by the petitioner.
4. Learned Counsel for the petitioner submits that
petitioner has falsely been implicated in this case on the basis of
fact that he happens to be the owner of the truck. Referring to



Annexure 2 to the present application, learned counsel submits that the petitioner entered into an agreement with a driver, namely, Rambabu Kumar on 25.03.2019 for plying the truck in question on rent, on a monthly payment of Rs. 80,000/-. The occurrence has taken place on 31.05.2019 and on that date truck was being driven by the driver who has taken the truck on lease. Petitioner has got no criminal antecedent.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that the the petitioner had leased out the truck in question in favour of one Rambabu Kumar who is driver, prior to the date of occurrence, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Court No.1, Muzaffarpur in connection with Sadar PS case no. 364 of 2019,subject to the condition laid down under Section 438 (2) of the



Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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