

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86658 of 2023

Arising Out of PS. Case No.-146 Year-2022 Thana- SUIYA District- Banka

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Satyendra Kumar SON OF LAL BIHARI PANDEY R/O VILLAGE-
BAIDHNATHPUR BANDHA, P.S.- KUNDA, DIST.- DEOGHAR
(JHARKHAND)

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Nandan Prasad

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-01-2024

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Suiya P.S. Case No. 146 of 2022 dated 18/09/2022 registered under Section 30 (a) of the Bihar Prohibition and Excise Act, 2022.

3. As per the First Information Report the Police intercepted two motorcycles and arrested three persons from the spot and also recovered 5.625 liters of foreign liquor from the motorcycles in question.

4. Learned counsel for the petitioner submits that petitioner has been made accused on the basis of his being the owner of the motorcycle. At the time of seizure of illicit liquor the son of the petitioner namely Vishal Kumar was arrested



inasmuch as he was driving the motorcycle in question. The petitioner was not aware about illicit liquor being carried on the motorcycle by his son.

5. Regard being had to the submission made by the parties, taking into consideration the submission advanced by learned counsel for the petitioner that petitioner has been made accused on the basis of his being the registered owner of the motorcycle and he was not present at the time of seizure of the motorcycle / liquor, 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 Additional District & Sessions Judge-V, Banka in connection with Suiya P.S. Case No. 146 / 2022 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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