

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11877 of 2020

Arising Out of PS. Case No.-9 Year-2020 Thana- GRIYAK District- Nalanda

Jay Prakash Kumar Son of Sharan Yadav Resident of Village- Sekhopur, P.S.-
Deep Nagar, District- Nalanda. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.
For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 30-06-2020 Heard learned counsel for the petitioner and

learned APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Giriak (Katrisarai) P.S. Case No. 09 of 2020, registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, motorcycle with the two accused persons thereon was stopped for checking. On search 24 litres of IMFL was recovered from the said motorcycle and the two accused persons managed to escape.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot



nor any incriminating article has been recovered from his possession. He has no criminal antecedent and has been falsely implicated in this case only for the reason that he happens to be the registered owner of the said motorcycle. It is further submitted that on the occasion of marriage, the petitioner had given his motorcycle for being used in the arrangement of the marriage ceremony.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the fact that petitioner has no criminal antecedent and no recovery has taken place from his possession, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Giriak (Katrissarai) P.S. Case no. 09 of 2020, he will be enlarged 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 3rd Additional District and Sessions Judge-cum-



Special Judge (Excise) Nalanda at Bihar Sharif subject to
the condition as laid down under section 438(2) of the
Cr.P.C.

(Partha Sarthy, J)

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