

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9840 of 2022

Arising Out of PS. Case No.-26 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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PRAMOD SAH S/o Shankar Sah Resident of Village - Bundel Toli, P.S. -
Malsalami, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad
For the Opposite Party/s : Mr. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 14-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with P.R. Case no. I-26 of 2021 instituted for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 49.890
liters illicit India made foreign liquor from a motorcycle bearing
Registration No. BR01DS-7571 .

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has falsely been implicated in this case. He has got
no criminal antecedent. Petitioner is the owner of the



motorcycle which was seized on spot but he has no concern with the alleged recovery of illicit liquor. It is further submitted that neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that the recovered motorcycle belongs to the petitioner.

The petitioner is directed to deposit a sum of Rs 15,000/- (Fifteen Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with P.R. Case No. I-26/2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Court Excise, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by



the learned court below on showing the receipt of deposit of Rs.
15,000/- (Rs. Fifteen thousand) by the petitioner in the account
of the concerned DLSA.

(Sunil Kumar Panwar, J)

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