

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39262 of 2023

Arising Out of PS. Case No.-493 Year-2022 Thana- CHAPRA TOWN District- Saran

Abhishek Kumar Son Of Late Ramji Prasad Resident Of Village- Takkar
More Gudri Bazar Salapatganj, Ps- Gudri Bazar, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarendra Nath Verma

For the Opposite Party/s : Mr. Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution case, allegation against the petitioner is that 80 liters of country made liquor is said to have been recovered from his motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner has purchased the motorcycle in the year 2011, but had sold the same to one Golu Rai on 18.04.2018 after receipt of rupees twenty five thousand for him. The petitioner executed all the papers and filled



in all the forms of Motor Vehicles Department as per satisfaction of the purchaser Golu Rai, as enclosed in Annexure-P/3 series to the bail application. The petitioner had no concern with the said motorcycle w.e.f. 18.04.2018 and the said fact would be apparent from an affidavit sworn by the said Golu Rai as soon as the factum of the petitioner's implication in this case dawned upon the poor creature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Chapra Town P.S. Case No. 493 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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