

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49442 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- KORMA District- Sheikhpura

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DHARMVEER RAM SON OF YAMUNA RAM RESIDENT OF VILLAGE-
ISHUA PURVI BELDARIA, PS- SARMERA, DISTT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Kumar Dubey, Advocate.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-08-2023 Heard Mr. Rahul Kumar Dubey, learned counsel for

the petitioner and Mr. Rana Randhir Singh, learned Additional

Public Prosecutor appearing for the State.

2. Petitioner apprehends his arrest in connection with

Korma P.S. Case No. 13 of 2023 registered for the offence

punishable under Section 30(a) of the Bihar Prohibition and

Excise Act, 2016.

3. As per the First Information Report during vehicle

checking, one Motorcycle was intercepted by the Police and

upon seeing the Police Party, the accused persons driving the

same fled away after leaving the Motorcycle on spot and upon

search, the Police recovered 6.5 litres of country made liquor

from the said Motorcycle. The person who succeeded in fleeing

away was identified by the *Chowkidar* as one Gawaskar Ram,



son of Suresh Ram.

4. Learned counsel for the petitioner submits that the petitioner is not named in the First Information Report and he has been made accused on the basis of being the owner of the said Motorcycle. According to the petitioner, the Motorcycle in question was borrowed by co-accused Gawaskar Ram for purchasing some medicine for his father who was suffering from high fever. Accordingly, the petitioner was not aware about the illicit liquor being carried by the said Gawaskar Ram on the Motorcycle.

5. Regards being had to the submission made by the parties and taking into consideration the submission advanced by learned counsel appearing for the petitioner that the Motorcycle in question was borrowed by co-accused, the petitioner is not named in the First Information Report and he has got no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



Exclusive Special Excise Judge, Sheikhpura, in connection with
Korma P.S. Case No. 13 of 2023, subject to the condition as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Anil Kumar Sinha, J)

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