

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69686 of 2023

Arising Out of PS. Case No.-86 Year-2021 Thana- TISIAUTA District- Vaishali

PRAVEEN KUMAR SON OF RAVINDRA KUMAR SHARMA VILLAGE-
TARADHIH, PS- NAUBATPUR, DIST- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Prasad, Adv.

For the Opposite Party/s : Mrs.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-11-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Tisiauta P.S. Case No. 86/ 2021 dated 08/07/2021
registered for the offence(s) punishable under Section(s) 414,
272 and 273 of the IPC and under Section 30(a) of Bihar
Prohibition & Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that as per FIR, alleged liquor was
recovered from an orchard of co-accused, Aditya Narayan Singh
@ Ajit Singh and on seeing the police party the petitioner and
other co-accused persons managed to escape and the police
identified the accused persons, including the petitioner with the
help of local persons but details of which has not been given in



the FIR and regarding the source of identification of the petitioner, the prosecution's allegation is completely vague and though, as per FIR, motorcycle and some other vehicles were recovered from the place of recovery and the said motor cycle is stated to be under the ownership of the petitioner but in fact, the petitioner sold out the motorcycle to someone in the year 2020 and in this regard, copy of the sale's letter is annexed as Annexure-2 with this petition and the petitioner has been dragged mainly on account of recovery of the said motorcycle and in the light of these circumstances appearing against him from the the FIR the alleged offence of Excise Act does not even prima facie attract against this petitioner hence, his prayer for anticipatory bail is maintainable. Further submission is that petitioner has got no criminal antecedent.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions, this court is of the opinion that petitioner's prayer for anticipatory bail is fit to be accepted. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Tisiauta P.S. Case No. 86/



2021 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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