

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68935 of 2023

Arising Out of PS. Case No.-277 Year-2023 Thana- RAFIGANJ District- Aurangabad

Kapideo Singh @ Kapildeo Singh S/O Sri Jagdish Singh, Resident of Village-
Bandra, P.S.- Guraru, Dist- Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 07-11-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. The petitioner apprehends his arrest in connection with Rafiganj PS Case No. 277 of 2023 dated 21.06.2023, registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Amendment Act.
3. The main submissions advanced by the learned counsel for the petitioner are that the instant matter relates to the recovery of 10.440 litres of foreign liquor, which was allegedly seized from a motorcycle, which is registered in the name of this petitioner and he has been dragged in this case mainly on account of being the owner of the alleged motorcycle, in fact, at the time of the recovery of the alleged liquor, petitioner's son

was using the said motorcycle and the petitioner has got no criminal antecedent and the alleged offence of the excise act does not even *prima facie* attract against this petitioner, hence, his prayer for anticipatory bail is maintainable.

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

5. Considering the above submissions, this Court is inclined to accept the bail prayer of the petitioner. 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 **Rafiganj PS Case No. 277 of 2023** 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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