

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68527 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- BANNUBAGICHA District- Lakhisarai

PUTUN YADAV @ PUTUN KUMAR SON OF GARIB YADAV
RESIDENT OF VILLAGE- BICHHWE, PS- KIUL, DIST- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr. Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-11-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Bannubagicha Police Station Case No. 23 of 2023, dated 16.07.2023, disclosing offences under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that a motorcycle, bearing Registration No. BR53F-5301, was intercepted, which was being driven by Ramjee Ram, from where 20 liters of illicit liquor has been recovered. The petitioner is the owner of the motorcycle.
4. Learned counsel for the petitioner submits that the petitioner has been made accused merely because he happens to be the owner of the motorcycle, but at the



time of occurrence, the motorcycle was no being driven by the petitioner. He next submits that the co-accused Ramjee Ram had borrowed the motorcycle of the petitioner for going to Lakhisarai for purchasing medicines and the petitioner was not aware about the illicit liquor being kept therein by the co-accused Ramjee Ram. He next submits that the motorcycle has been released in favour of the petitioner by the learned District Court, Lakhisarai, after payment of fine of Rs. 55,927/-.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the defence of the petitioner that the motorcycle, in question, was borrowed by the co-accused and the fact that the motorcycle has been released in favour of the petitioner after payment of fine, I am inclined to grant petitioner the privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and



Sessions Judge-V-cum-Exclusive Special Court 2nd
Excise, Lakhisarai, in connection with Bannubagicha
Police Station Case No. 377 of 2023 (S.G.R. No. 97 of
2023, subject to the condition laid down under Section
438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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