

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9768 of 2024

Arising Out of PS. Case No.-124 Year-2023 Thana- LALGANJ District- Vaishali

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Amod Kumar S/O Saryug Patel R/O Village- Bahilwara Roop Nath, P.S-
Saraiya, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-02-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of one liter of liquor from a motorcycle.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and he came to be implicated based on the fact that
he is owner of the motorcycle. It is next submitted that no
prudent person would use his own vehicle for committing an
occurrence and thus would create evidence against himself and
hence would get implicated. It is further submitted that



petitioner came to be implicated at the instance of ‘Chowkidar’ with whom he is on inimical term.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Lalganj P.S. Case No.124 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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