

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18807 of 2024**

Arising Out of PS. Case No.-16 Year-2024 Thana- ANTICHAK District- Bhagalpur

Jitendra Pahariya Son Of Late Badal Pahariya Resident Of Village -  
Kutubpur, Paahariya Tola, Police Station - Antichak, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Dr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      13-03-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Anti Chak P.S. Case No.  
16 of 2024, instituted for the offences punishable under Section  
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 25 liters  
liquor was recovered from motorcycle and the petitioner was  
apprehended on spot.

4. Learned counsel for the petitioner submits that the  
petitioner has falsely been implicated in the present case. No  
incriminating material has been recovered from the conscious  
possession of the petitioner. The petitioner has got no concern  
with the alleged recovery of liquor. It is further submitted that



petitioner is not the owner of the motorcycle. The petitioner is in custody since 25.01.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Anti Chak P.S. Case No. 16 of 2024.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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