

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26681 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- Excise P.S. District- Siwan

Pratap Kumar @ Pratap Singh S/o Mithilesh Singh R/o vill - Ramgarha
Pachim tola, P.s. - Daraunda, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

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

ORAL ORDER

3 23-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Maharajganj Excise P.S. Case No. 07 of 2024 instituted for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 397.440 litres of liquor was recovered from Honda city Car.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. It is further submitted that the name of the petitioner has been transpired only because he happens to



be the owner of the vehicle in question and has no knowledge regarding the goods loaded in the vehicle. The petitioner has one criminal antecedent. There is no compliance of Section 100 of the Cr.P.C. The co-accused person has already been granted regular bail by this Bench vide order dated 02.05.2024 passed in Cr. Misc. No. 33872 of 2024.

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, let the petitioner, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Maharajganj Excise P.S. Case No. 07 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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