

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21763 of 2024

Arising Out of PS. Case No.-443 Year-2023 Thana- CHIRAIYA District- East Champaran

Aman Singh S/o- Ashok Kumar Singh @ Ashok Pd. Singh Village- Bhusaula
Chaita Ps- Pakridayal Dist- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar,Adv

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the state.

2. The petitioner apprehends his arrest in connection with Chiraiya (Shikartganj) P.S Case No. 443 of 2023 registered for the offence punishable under Section 30(a), 32 (1)(2), 41 (1)(2) of the Bihar Prohibition & Excise Amendment Act.

3. As per the prosecution case, 667.44 litres of foreign liquor was recovered from truck, car and motorcycle.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. The



petitioner is neither the owner nor the driver of the said vehicle. The said vehicles were not being driven by the petitioner at the time of alleged occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. There is no compliance of Section 100 of the Cr.P.C. The petitioner has clean antecedent. Similarly situated co-accused has already been granted bail by this Court in Cr. Misc. No. 75770 vide order dated 12.12.2023

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the parties, in the event of his arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs, 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-III, East Champaran, Motihari/ concerned court in connection with Chiraiya (Shikarganj) P.S. Case No. 443 of 2023, subject to the



conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Chandra Prakash Singh, J)

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