

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28500 of 2024

Arising Out of PS. Case No.-408 Year-2023 Thana- BARH District- Patna

=====

Shravan Kumar SON OF LATE RAMPREET RAI @ RAMPRIT RAI
Resident of Village -Pachhiyahi Malahi, PS- Barh, District -Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Suraj Kumar

For the Opposite Party/s : Mr.Nand Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 228-06-2024
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 Barh Police Station Case No. 408 of 2023, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as ‘the Act’).

3. As per the First Information Report, the police intercepted a motorcycle and recovered 32.80 liters of illicit liquor from the motorcycle. However, two persons who were driving the motorcycle and sitting upon it were seen fleeing. The name of the persons was disclosed by the local people.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in



this case merely on the basis of suspicion and dirty local village politics. He further submits that the petitioner is having no criminal antecedent and has no concern with the alleged seized liquor which was recovered from a white colour plastic bag loaded on a Hero Glammer Motorcycle bearing Registration No. BR21N8876. He further submits that petitioner is neither the owner nor the driver of the alleged seized vehicle.

5. Regards being had to the submission advanced on behalf of the petitioner and taking into consideration the fact that petitioner made accused merely on the basis of suspicion, the illicit liquor has not been recovered from the conscious possession of the petitioner and petitioner is neither the owner nor the driver of the alleged seized vehicle and further the petitioner has got no criminal antecedent, I am inclined to grant the petitioner 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 Court of Exclusive Special Judge, Excise, Barh, Patna, in connection with Barh Police Station Case No. 408 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

8. This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

HarshPandey/-

U		T	
---	--	---	--

