

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41852 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- AMBA District- Aurangabad

Dhananjay Kumar Singh Son of Tapeswar Singh R/O Vill.- Khaira,
Manjholiya, P.S.- Kasma, Dist.- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner are apprehending
their arrest in connection with Amba P.S. Case No. 62 of 2024
registered for the alleged offences under Section 30(a) of Bihar
Prohibition and Excise (Amendment) Act, 2018.

03. As per prosecution case, two co-accused persons
were apprehended carrying 6.75 litre of foreign liquor on a
motorcycle. Petitioner is stated to be the owner of the motorcycle.

04. Learned counsel for the petitioner submits that the
petitioner are innocent and have been falsely implicated in this
case. The name of the petitioner transpired in this case merely on
suspicion being the owner of the seized motorcycle. However, the
petitioner has given his motorcycle to the co-accused persons who

are neighbours of the petitioner but they used the motorcycle of the petitioner for illegal purpose. There is no material against the petitioner to connect with the offence and he was not riding the motorcycle in in relevant time and was not present at the place of occurrence. Petitioner has got no criminal antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and further considering possibility of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Court of Special Judge, Excise Court No. 1, Aurangabad in connection with Amba P.S. Case No. 62 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a
close relative of the petitioner
- .(ii) The petitioner will remain
present on each and every date

fixed by the court below, if so
required by the learned trial
court.

(Arun Kumar Jha, J)

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