

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42242 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- RAMGARH District- Kaimur (Bhabua)

Shahid Khan Son of Abulaish Khan R/O Vill.- SA/16/92M19K Amanpuri
Colony Tadiya Chakbihi, B/H Old R.T.O. Office, P.O.- Varanasi, P.S.-
Chakbihi, Dist.- Varanasi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey, Advocate

For the Opposite Party/s : Ms.Asha Devi, APP

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

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Ramgarh P.S. Case No. 101 of 2024 instituted for the
offences under Sections 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 80.250 litres
of liquor was recovered from car and 2 litres of liquor was
recovered from the house of Sahtu Ram.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Learned counsel further submitted that petitioner is not named in the FIR. Learned counsel further submitted that, as per prosecution case, two persons were arrested with a motorcycle but nothing was recovered from the said motorcycle, and this petitioner happens to be the owner of the said motorcycle. Learned counsel further submitted that although recovery of illicit liquor has been made from a car, but the petitioner has got no concern with the car in question. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. The petitioner has no criminal antecedent. There is no compliance of Section 100 of the 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, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six months 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 Ramgarh P.S. Case



No. 101 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/-

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

