

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42790 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- IMADPUR District- Bhojpur

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1. Krishna Singh S/O Amar Singh R/O Village Sakla, P.S. Karakat, Distt-Bhojpur
 2. Amar Singh S/O Late Lal Bihari Singh R/O Village Sakla, P.S. Karakat, Distt-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 23-07-2024 Heard learned counsel for the petitioners and the
State.

2. Petitioners apprehend arrest in a case registered for
the offence punishable under Section 30 (a) of Bihar Prohibition
and Excise (Amendment) Act 2018 .

3. It is alleged that 100 liters of country made liquor
was recovered from the motorcycle in question .

4. It is submitted on behalf of the petitioners that the
petitioner No. 1 is innocent and has falsely been implicated in
this case merely because he happens to be the son of petitioner



No. 2. The motorcycle in question does not belongs to petitioner No. 1 . No incriminating material has been recovered from the conscious possession of the petitioners and they are no way connected with the aforesaid recovery. Petitioners claim clean antecedent.

5. Learned counsel for the State opposes the bail petition and submits that huge quantity of liquor have been recovered from the motorcycle of which petitioner No. 2 is registered owner.

6. Considering the facts of the case as also the fact that huge quantity of liquor have been recovered from the vehicle of which petitioner No. 2 is registered owner, prayer for anticipatory bail is rejected.

7. Considering the fact that motorcycle in question does not belongs to petitioner No. 1 and other circumstances of the case , in the event of arrest/surrender within six weeks from today, let the petitioner No. 1 , above named, 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 the learned Exclusive Excise Court No. 1st , Bhojpur, Ara in connection with Imadpur Police Station Case No. 27 of 2024 , subject to the conditions laid down under section 438(2) of the



Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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