

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41812 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- BASOPATTI District- Madhubani

Parshuram Sah @ Parshuram Gupta S/o Yogeshwar Sah R/o Village-Kauaha
Mandir, P.S.-Birpur, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anzarul Haque Sahara, 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 is apprehending their arrest in connection with Basopatti P.S. Case No. 23 of 2024 registered for the alleged offences under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

03. As per prosecution case, during checking of vehicle three persons riding a motorcycle were apprehended and from their possession 3.100 litre of foreign liquor was made. Petitioner is stated to be the owner of the motorcycle.

04. Learned counsel for the petitioner submits that petitioner is innocent and falsely implicated in this case merely due to the fact he is the owner of the vehicle. One of the apprehended co-accused persons is the son of the petitioner. The

petitioner has no concern with the recovery of illicit liquor and no liability could be fastened upon him for the recovery made from the co-accused persons. Petitioner is having clean 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 liability 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 learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Basopatti P.S. Case No. 23 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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