

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44047 of 2024**

Arising Out of PS. Case No.-236 Year-2020 Thana- AURANGABAD TOWN District-
Aurangabad

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AMIT KUMAR SINGH SON OF VINDHYACHAL SINGH VILLAGE-
MAIGRA, P.O.- BARA, P.S.- NABI NAGAR, DISTT.- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Bindeshwar Prasad Singh, Advocate
For the State : Mr. Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per prosecution case, 555 ml foreign liquor has been recovered from a motorcycle of which this petitioner is registered owner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that no incriminating article has been recovered from the conscious possession of this petitioner and he has been made an accused in this case merely because he happens to be registered owner of the vehicle in question. As a



matter of fact, without the knowledge and consent of this petitioner, the vehicle was being used for transportation of illicit liquor. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, quantity of liquor that has been recovered and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged 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 Special Judge Excise, Aurangabad, in connection with Aurangabad Town P.S. Case No. 236 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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