

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42674 of 2024

Arising Out of PS. Case No.-270 Year-2023 Thana- AAJAM NAGAR District- Katihar

Presanjeet Kumar @ Presanjeet Kumar Sah S/o Subodh Sah R/o Bhogaon,
P.S.- Kadwa, District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Kanhiya Kishor, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Ajamnagar P.S. Case No.270 of 2023 instituted under
Section 30 (a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
40.695 litre foreign made liquor from the motorcycle of the
petitioner which was driven by the co-accused Dipak Kumar on
the date of occurrence.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner had already sold his motorcycle to one
Dipak Kumar on 23.03.2022 and an agreement was made in this
regard, a copy of same is attached with the application. Learned



counsel submits that petitioner has no concern with the motorcycle or the seized liquor and he was not present at the spot. He further submits that petitioner has no criminal antecedent and he undertakes to cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Additional District and Sessions Judge, Exclusive Excise Court No.2, Katihar in connection with Ajamnagar P.S. Case No.270 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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