

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45558 of 2024

Arising Out of PS. Case No.-131 Year-2024 Thana- SUGAULI District- East Champaran

Sharma Prasad @ Sharma Shah Son of Suresh Shah @ Suresh Prasad R/O
Sagauli, Vill.- Kanu Tola, P.S.- Sugauli, Dist.- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishal Prasad, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 30-07-2024 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offence punishable under Section 30A of the Bihar Prohibition and Excise Act.
3. As per prosecution case, 10 litres country made liquor has been recovered from motorcycle.
4. Learned counsel for the petitioner submits that no incriminating material has been recovered from conscious possession of the petitioner. Petitioner is neither driver nor owner of motorcycle in question and he has been made accused only on confessional statement of co-accused.
5. Learned A.P.P. for the State vehemently opposed the bail application and submits that petitioner has got one criminal antecedent of similar nature.



6. Considering the criminal antecedent of similar nature, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, 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 Special Judge, Excise Court No. 1, East Champaran, Motihari in connection with Sugauli P. S. Case No. 131 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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