

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46359 of 2024**

Arising Out of PS. Case No.-268 Year-2024 Thana- Excise P.S. District- Aurangabad

Manoj Kumar Son of Jagdish Prasad R/O Vill.- Bahadurpur, P.S.- Rafiganj,  
Dist.- Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms.Mukul Kumari, Advocate

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      07-08-2024      1.                      Heard learned Counsel for the petitioner and learned APP for the State.
2.                      This application, for grant of anticipatory bail, arises out of Excise PS case no. 268 of 2024, disclosing offences punishable under Section 30(a), 32(3) of the Bihar Prohibition and Excise Act, 2018.
3.                      The prosecution story, as per the First Information Report, is that the informant, during the course of checking of vehicles, saw that a person was coming riding on a motorcycle and on seeing police party, he started fleeing away but was apprehended by the police and disclosed his name as Ranjit Kumar. It is alleged that 05 liters of spirit was recovered from the aforesaid motorcycle.
4.                      Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case, inasmuch as he has no concern with the illicit liquor and he is having a clean antecedent.



Learned counsel further submits that the petitioner is only the owner of the aforesaid motorcycle and co-accused Ranjit Kumar had borrowed the motorcycle from the petitioner for some urgent work and the petitioner was not aware about the illicit liquor being carried in his motorcycle.

5.                Regard being had to the submissions made on behalf of the parties and taking into consideration the justification of the petitioner that his motorcycle was borrowed by his friend, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6.                This application is, accordingly, allowed.

7.                Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Special Judge, Excise-II, Aurangabad in connection with Excise PS case no. 268 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Anil Kumar Sinha, J)**

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