

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47195 of 2024**

Arising Out of PS. Case No.-52 Year-2024 Thana- BARAHAT District- Banka

Shaligram Thakur Son of Avadh Thakur Village- Dayalpur, Police Station-
Bihlpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Barahat P.S. Case No. 52 of 2024 instituted for the
offences under Sections 30(a) of the Bihar Prohibition and
Excise Act.

3. Prosecution case, in short, is that total 70.65 litres
illicit liquor has been recovered from car.

4. Learned counsel for the petitioner submitted that the



petitioner is innocent and has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner submitted that petitioner was not present at the place of occurrence. The name of the petitioner has transpired in this case merely because he happens to be the owner of the vehicle from which the alleged recovery of liquor has been made. Learned counsel further submitted that petitioner is not the driver of the vehicle and was unaware of the fact that the vehicle was loaded with illicit liquor. Learned counsel further submitted that co-accused persons has already been granted regular bail by this Bench vide order dated 08.04.2024 passed in Cr. Misc. No. 26698 of 2024. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six months from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Barahat P.S. Case
No. 52 of 2024, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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