

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45428 of 2024

Arising Out of PS. Case No.-149 Year-2024 Thana- Excise P.S. District- Araria

Manjit Kumar Yadav S/o Jaleshwar Yadav R/o vill - Sonapur, ward no. 13,
P.S. - Narpatganj, Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Advocate
For the State : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, 3 litres 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, on the alleged date of occurrence, neighbour of this petitioner demanded his motorcycle for treatment of his



child and without 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 A.D.J.-cum-Special Judge, Excise-II, Araria, in connection with Araria Excise Case No. 149 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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