

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48717 of 2024

Arising Out of PS. Case No.-64 Year-2024 Thana- Excise Benipatti District- Madhubani

Raj Kumar Ram SON OF RAMSRISHT RAM VILLAGE- SAHARGHAT,
P.S- SAHARGHAT, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimal Kumar, Sr. Advocate
		Mr. Shashank Chouhan, Advocate
For the Opposite Party/s	:	Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-08-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Benipatti Excise P.S. Case no. 64 of 2024, registered under section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that on the motorcycle in question being stopped for search, the driver managed to escape while the co-accused was arrested. 45 litres of liquor was recovered. The person arrested on being asked disclosed that it was the petitioner who had escaped.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because of his antecedents. Neither was he arrested at the spot nor any



incriminating article recovered from his possession. The co-accused had taken the motorcycle of the petitioner for his personal use. The petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R and the quantity of liquor recovered, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Benipatti Excise P.S. Case no. 64 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-II-cum-Special Judge, Excise Act, Madhubani.

(Partha Sarthy, J)

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