

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51495 of 2024

Arising Out of PS. Case No.-43 Year-2024 Thana- Excise P.S. District- Muzaffarpur

Vikram Rai Son of Surendra Rai Resident of Village - Matihani (Kataroo Tara) (Wrongly mentioned in the FIR i.e. Resident of Jaffarpur), P.S.- Paroo, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Excise P.S. Case No. 43 of 2024 registered for the offences punishable under Sections 30(a) & 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

3. Prosecution case in short is that there is recovery of 810 litres of liquor from one Pickup van.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. It is submitted that petitioner was not present at the time of occurrence. Petitioner has no concern with the recovered liquor.



Petitioner is neither the owner nor the driver of the vehicle in question. Petitioner bears three criminal antecedents. It is submitted that there is no compliance of Section 100 Cr.P.C. It is lastly submitted that other co-accused has been granted regular bail by this Court *vide* order dated 12-03-2024, passed in Cr. Misc. No. 18444 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Excise P.S. Case No. 43 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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