

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49004 of 2024

Arising Out of PS. Case No.-2193 Year-2023 Thana- Excise P.S. District- Gaya

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Pintu Chaudhary @ Pintu Kumar Son of Basant Chaudhary, Resident of Vill-
Madardih, P.S.- Wazirganj, District- Gaya. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-08-2024 Heard Mr. Nafisu Zzoha, learned counsel appearing
on behalf of the petitioner and Mr. Ajit Kumar, learned APP
appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Gaya Excise Case No.2193 of 2023 registered under
Sections 30(a) and 32(3) of the Bihar Prohibition & Excise
Amendment Act, 2018.

3. Allegation is of recovery of 40 litres illicit liquor
from a motorcycle registered in the name of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and he has falsely
been implicated in the present case. The petitioner is the owner
of the seized motorcycle bearing Registration No. BR02Z-1527
Engine No.JA12ABEGF12104, which was given to one of the
villagers for purchasing medicine. The petitioner has no concern
with the alleged seized liquor nor he is engaged in sale or
manufacturing of the illicit liquor. The petitioner has clean



antecedent. On these grounds, the petitioner seeks to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR against the petitioner, the learned District Court is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Exclusive Excise Judge No.3, Gaya in connection with Gaya Excise Case No.2193 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

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