

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51783 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- Excise P.S. District- East Champaran

Bharat Sah Son of Late Bhagrashan Sah R/o Village- Sonwal, Uttarpatti, P.S.-
Paharpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

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

ORAL ORDER

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

2. The petitioner apprehends arrest in Excise (Areraj)
P.S. Case No. 19 of 2024, registered under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 210 liters
liquor was recovered from two motorcycles.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no knowledge and concern with the alleged recovery of liquor.
Learned counsel for the petitioner further submitted that the



name of the petitioner has transpired as being owner of the motorcycle bearing Registration No. BR22H-6409. It is also submitted that the petitioner has already sold his motorcycle to one Pappu Prasad on 05.04.2022. Hence, the motorcycle in question does not belong to the petitioner. The petitioner has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/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 Court below/concerned Court in connection with Excise (Areraj) P.S. Case No. 19 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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