

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53917 of 2024

Arising Out of PS. Case No.-120 Year-2024 Thana- SONBERSA District- Sitamarhi

Dharmendra Choudhary Son of Sitaram Ji Choudhary R/O Vill.- Lalpur ward
no. 05, P.s.- Runnisaidpur, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 31-08-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Sonbarsa P.S. Case No. 120 of 2024 dated 06.04.2024 registered under Sections 30 (a) of the Bihar Prohibition and Excise Amended Act, 2022.

3. As per prosecution case a total quantity of 77.14 liters of illicit liquor has been recovered from a Renault Kwid Car bearing Registration No. BR0DJ6339 and the petitioner is said to be the registered owner of the Car.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and he has not committed any offence in the manner alleged. He submits that the petitioner was not apprehended on the spot. He further submits that the vehicle in question is a commercial vehicle and the



same was being plied on hire basis and the petitioner was not aware about illicit liquor being kept therein by the driver. He further submits that petitioner is not named in the F.I.R. The petitioner has been made accused only due to the fact that he is the owner of the vehicle in question.

5. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the conscious possession of the petitioner and the vehicle in question is a commercial vehicle being plied on hire basis , as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, Sitmarhi / court concerned in connection with Sonbarsa P.S. Case No. 120 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anil Kumar Sinha, J)

