

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54083 of 2024

Arising Out of PS. Case No.-182 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Rajesh Yadav S/o Dhaneshwar Yadav R/o vill - Gorawaiya, P.S. - Barachatti,
Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sinha

For the Opposite Party/s : Mr.Asha Kumari

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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
P.S. Magadh University, District Gaya in Excise Case No. 182
of 2021 dated 19.06.2021 registered under Sections 30 (a) and
56(b) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

3. As per prosecution report the excise officials intercepted a
motorcycle bearing Registration No. BR02AQ6820 on
19.06.2021 and recovered 13 liters of illicit liquor and appre-
hended one person namely, Mantu Kumar.

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 seized motorcycle caught by the Excise Officials was having fake registration number and the motorcycle bearing registration no. JH01BX3889 belonging to the petitioner was stolen from his house for which an F.I.R. prior in time was lodged on 01.06.2021 by the petitioner bearing Barachatti P.S. Case No. 319 of 2021. The petitioner has got one criminal antecedent not of similar nature of offence.

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 / or the petitioner lodged an F.I.R. for theft of his motorcycle prior to the recovery of the illicit liquor from the motorcycle 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 Excise Judge No. 3, Gaya / court concerned in connection with



P.S. Magadh University Excise Case No. 182 / 2021 subject to
the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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