

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52215 of 2024

Arising Out of PS. Case No.-334 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

Arjun Kumar Son of Chandu Ram R/V- Chandravanshi, Sonasa Ka Tola,
Narasingur, P.S.- Rahui, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Anita Kumari, 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 P.S. Case No. 334 of 2024, instituted for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 606.960 liters liquor was recovered from pick-up vehicle.

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 also submits that the name of the petitioner has transpired as being owner of the vehicle in



question and he has no knowledge regarding the goods booked by the transporter/goods kept in the vehicle. The petitioner was not present at the place of occurrence. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 27.06.2024 passed in Cr. Misc. No. 44845 of 2024. 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 P.S. Case No. 334 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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