

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54420 of 2024**

Arising Out of PS. Case No.-32 Year-2024 Thana- Dhobaha District- Bhojpur

Jitendra Yadav SON OF GUPTESHWAR YADAV VILLAGE- PAWAT, PS-
DHOBHAN, DIST- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Ms.Veena Kumari Jaiswal

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

- 2 31-08-2024 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Dhobhan Police Station Case No. 32 of 2024, dated 12.05.2024, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information that the petitioner is carrying illicit liquor on a motorcycle, proceeded towards the place of occurrence and saw one person coming on a black motorcycle and on seeing the police, the person, riding the motorcycle, fled away leaving behind the motorcycle. The police seized the motorcycle and recovered 20 litres of illicit liquor from a sack kept



on the motorcycle.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case inasmuch as the allegation has been levelled against the petitioner on the basis of mere secret information received by the police. He further submits that the petitioner has got no criminal antecedent and referring to paragraph 14 of this application, he further submits that the motorcycle, in question, does not belong to the petitioner.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that seized motorcycle does not belong to the petitioner and further the petitioner has got no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Exclusive Special Excise



Court, Bhojpur, at Ara, in connection with Dhobhan Police Station Case No. 32 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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