

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58868 of 2024

Arising Out of PS. Case No.-115 Year-2018 Thana- LAUKAHA District- Madhubani

Chandeshwar Sao @ Chandeshwar Sah S/o- Late Lakhan Sah Village- Sara Mahana PS-Babubarhi Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-09-2024 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 Laukaha Police Station Case No. 115 of 2018, dated 18.05.2018, 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 intercepted one motorcycle on which three persons were riding, and recovered 7.5 litres of Nepali liquor.
4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely on the ground that he is the owner of the seized motorcycle. He further submits that the petitioner resides in Delhi and his motorcycle was being driven by



his brother, co-accused Rameshwar Sah. He further submits that the petitioner has got no criminal antecedent and he has no concern with the illicit liquor.

5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner has got no criminal antecedent and he is the registered owner of the motorcycle, in question, which was being driven by his brother, 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 Special Excise Judge, Jhanjharpur, Madhubani, in connection with Laukaha Police Station Case No. 115 of 2018, 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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