

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53769 of 2024

Arising Out of PS. Case No.-163 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

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Shankar Thakur S/o Dinesh Thakur Resident of Village Sarisab Pahi, P.S.
Pandaul, District Madhubani Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
G.O. No.163 of 2021 instituted for the offence punishable under
Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation is of recovery of 45 litres Nepali
country made liquor from the motorcycle bearing Registration
No. BR32C-8323, which is registered in the name of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that petitioner has no knowledge
about the occurrence because he has sold his motorcycle in the
year 2013 to one Mahesh Thakur son of Ram Swaroop Thakur
vide sale letter dated 06.11.2013 for the consideration amount of



Rs. 18,500/-. The said sale letter has been annexed along with the bail application and marked as Annexure P/2. It is next submitted that petitioner has no concern with the said motorcycle. It is further stated that nothing has been recovered either from the conscious possession or from the house of the petitioner. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with G.O. No.163 of 2021, he/they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum Special Judge, Excise Act, Madhubani, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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