

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53383 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- KOILWAR District- Bhojpur

Kumar Abhishek son of Ram Bhushan Sharma Resident of Village- D65 D
Block West Vinod Nagar, Ps- Mandawali Dist- North Delhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Harshvardhan, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-08-2024 Heard learned counsel appearing on behalf of

the petitioner and learned Additional Public Prosecutor

appearing on behalf of the State.

2. The accused/petitioner is named in the F.I.R.

and apprehended his arrest in connection with Koilwar P.S.

Case No. 20 of 2024 registered for the offences punishable

under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be

engage in illegal trading/manufacturing of illicit liquor,

where, there is recovery of 337.50 litres of IMFL/country

made liquor.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner has been falsely implicated with the present case only being registered owner of the alleged vehicle from where alleged recovery was made. It is pointed out that petitioner rented his car through "**Zoomcar**", which is a registered company under Companies Act and provide car on rental basis to the desired person and when from "Zoomcar" platform, car of petitioner was taken on rent by co-accused persons, which was found carrying illicit liquor present petitioner was implicated with the present case, who is a man of clean antecedent. It is also submitted that accused persons are completely unknown to the petitioner as he received rent of his car through "Zoomcar" only and admittedly no illicit liquor was recovered from the conscious physical possession of this petitioner.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of the facts and circumstances and by taking note of the fact as no recovery of illicit liquor appears to be made from the conscious physical possession of this petitioner and was implicated prima facie only being



registered owner of the car, carrying illicit liquor, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special, Excise Judge-II, Bhojpur, Ara/concerned Court below where the case is pending in connection with Koilwar P.S. Case No. 20 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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