

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55337 of 2024

Arising Out of PS. Case No.-336 Year-2023 Thana- TATARPUR District- Bhagalpur

Ramesh Kumar Son of Jai Kishan Rai @ Raj Kishore Prasad R/O Mohalla-
Ram Das Gupta Path, Ramsar, Kumhaar Toli, P.s.- Tatarpur, Dist.- Bhagalpur,
Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar, Advocate

For the Opposite Party/s : Ms. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-09-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Tatarpur P.S. Case no. 336 of 2023, registered under section 30(a) of the Bihar Prohibition & Excise Act, 2016.

3. As per the prosecution case, on information having been received and a raid being conducted, it is stated that about 34 bottles of liquor were recovered. It is further stated that two bottles of 750 ml each was recovered from a scooty parked in the premises of the house of the said Balbant Rai.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that the scooty from which the alleged recovery of two bottles of liquor has taken place belongs to this petitioner. No incriminating article has been recovered from the petitioner's



possession nor from his scooty. The petitioner has no antecedent under the Bihar Prohibition & Excise Act, 2016. He undertakes to cooperate in the case.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R., no incriminating article having been recovered from his possession and his not having any antecedent under the Bihar Prohibition & Excise Act, 2016, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Tatarpur P.S. Case no. 336 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-XII-cum-Special Excise Judge-II, Bhagalpur.

(Partha Sarthy, J)

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