

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55315 of 2024

Arising Out of PS. Case No.-537 Year-2024 Thana- Excise P.S. District- Aurangabad

Dhananjay Kumar SON OF SHIV KUMAR CHOUDHARY R/O VILLAGE-
BABHANDIH, P.S.- IMAMGANJ, DIST- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-09-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with G.R. no.1003 of 2024, arising out of Excise P.S. Case no.537 of 2024 registered for the offence punishable under sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that on checking of the vehicle being conducted, 10 litres of country liquor was recovered from the vehicle in question and one of the accused namely Shashi Kumar was taken into custody.

4. Learned counsel for the petitioner submits that from the contents of the FIR itself, it would be evident that neither the petitioner was arrested at the spot nor any



incriminating article recovered from his possession. The reason of his false implication is that vehicle in question was registered in his name. The petitioner has no criminal antecedent.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, no incriminating article having been recovered from the petitioner's possession and the petitioner not having any criminal antecedent under the Bihar Prohibition and 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 G.R. no.1003 of 2024, arising out of Excise P.S. Case no.537 of 2024 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 Special Judge of Excise-II, Aurangabad, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

Saurabh/-

U		T	
---	--	---	--

