

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58667 of 2024

Arising Out of PS. Case No.-78 Year-2023 Thana- ANGARGHAT District- Samastipur

Kanhaiya Kumar S/o Suresh Ram Ro village Angarghat, PS Dalsinghsarai,
Dist Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-09-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Angarghat P.S. Case No. 78 / 2023 dated 08.08.2023 registered under Sections 30 (a) of the Bihar Prohibition & Excise Act 2022.

3. As per the First Information Report on 08.08.2023 the Police during the course of patrolling intercepted one motorcycle, however, the persons riding the motorcycle succeeded in fleeing away and upon search 14 liters of country made liquor has been recovered from the said motorcycle. The petitioner is the owner of the motorcycle.

4. Learned counsel for the petitioner submits that petitioner has been made accused merely because he happens to be the owner of the motorcycle and he is not having any criminal



antecedent. He further submits that the motorcycle in question was borrowed by his friend for the purpose of some important work and the petitioner was not aware about illicit liquor being carried thereupon.

5. Regard being had to the submission made by the parties, taking into consideration the fact that petitioner is having no criminal antecedent and his motorcycle was borrowed by his friend, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge Excise- Ist Samastipur in connection with Angarghat P.S. Case No. 78 / 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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