

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61480 of 2024

Arising Out of PS. Case No.-162 Year-2021 Thana- AAJAM NAGAR District- Katihar

Md. Kuddus Son of Shekh Ramjani @ Md. Ramjani Resident of Village -
Dhabol, P.S. - Pranpur, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Musowir, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-09-2024

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 Azamnagar P.S. Case no. 162 of 2021 registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, two accused persons on a motorcycle, seeing police personnel they abandoned the motorcycle and managed to escape. It is stated that on a search being conducted of the bag hanging on the motorcycle, 23.5 litres of country liquor was recovered. The accused who had escaped were identified by local persons as the petitioner and one another.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's



possession or from his motorcycle. He has been falsely implicated in the case only for the reason that he happens to be the registered owner of the vehicle in question. In fact he had given his motorcycle to his friend for some work. He has no antecedent under the Bihar Prohibition and Excise Act, 2016.

5. Heard 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. and especially the petitioner not having any 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 Azamnagar P.S. Case no. 162 of 2021 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-cum- Exclusive Excise Court No. 2, Katihar.

(Partha Sarthy, J)

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