

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61482 of 2024

Arising Out of PS. Case No.-173 Year-2021 Thana- TEKARI District- Gaya

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Akhilesh Bharti @ Akhlesh Bharti Son of Ram Prasad Yadav Resident of
Village - Keshru Dharampur, P.S.- Chandauti, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra,APP

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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 Tekari P.S. Case no. 173 of 2021 registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that seeing police personnel the accused abandoned the motorcycle and managed to escape. On the motorcycle, a bag was recovered contained 20 litres of country liquor.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession or from any bag on the said vehicle. 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 acquaintance for some work.
The cause of false implication of the petitioner is his 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 in the F.I.R. together with the petitioner not having been arrested at the spot, 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 Tekari P.S. Case no. 173 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 Exclusive Special Excise Court no. II, Gaya.

(Partha Sarthy, J)

Harsh/-

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