

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60356 of 2024

Arising Out of PS. Case No.-565 Year-2023 Thana- ARWAL District- Jehanabad

=====

Anil Kumar Son of Chandrama Singh Resident of Village - Rampur, Police
Station and District - Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Birendra Kumar
For the Opposite Party/s	:	Mr.Manoj Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Arwal P.S. Case No. 565 of 2023 registered for the offences punishable under Section 30(a) of Bihar Prohibition & Excise Act.

3. As per prosecution case, total 156 litre country made liquor was recovered from two motorcycles as well as near bush.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name has been surfaced in the present case as owner of the motorcycle in question bearing Registration No. BR-56A-3364. He



further submits in impugned order itself it is mentioned that motorcycle in question had already been sold by the petitioner twelve years ago to co-accused Guddu Kumar. He further submits that petitioner is quite innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. He further submits that in the light of aforesaid facts and circumstances, no offence under Bihar Prohibition and Excise Act is made out against the petitioner.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special



Excise Judge-IIInd, Jehanabad in connection with Arwal
P.S. Case No. 565 of 2023, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

vashudha/-

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

