

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62127 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- SARAIYA District- Muzaffarpur

Arun Shahi @ Arun Kumar Shahi Son of Asharfi Shahi Village- Chakna
Chakda Ps- Saraiya Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rabindra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Saraiya P.S.
Case No. 24 of 2024, registered under Sections 272, 273/34 of
the Indian Penal Code, Sections 30(a), 32(2), 32(3), 36, 41(1)
and 41(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 3024 liters
liquor was recovered from truck.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no concern with the alleged
recovery of liquor. Learned counsel for the petitioner also
submitted that the petitioner is neither owner nor driver of the



truck in question. The petitioner was not arrested on spot and has no concern with the alleged recovery of liquor. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 14.03.2024 passed in Cr. Misc. No. 16703 of 2024. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Saraiya P.S. Case No. 24 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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