

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61496 of 2024

Arising Out of PS. Case No.-222 Year-2024 Thana- SAUR BAZAR District- Saharsa

Sarvan Kumar @ Sharvan Kumar, Son of Ramvilash Rajak, Resident of village and P.O.- Dhamsena, Ward no. 2, P.S.- Sour Bazar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
Mr. Suraj Kumar, Advocate
Mr. Prasoon Kumar, Advocate
For the Opposite Party/s : Ms. Asha Devi, 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 Sour Bazar P.S. Case no. 222 of 2024, registered under sections 30(a) and 41 of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that on receiving information about an accused selling liquor, the police reached the place of occurrence. On seeing the police personnel, the accused managed to escape, however, on search 555 ml of liquor was recovered from the motorcycle in question.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession and he has been falsely implicated in the case only



for the reason that he happens to be the registered owner of the motorcycle which was parked. He has no criminal antecedent and undertakes to cooperate in the case.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the petitioner not having been arrested at the spot 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 Sour Bazar P.S. Case no. 222 of 2024 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 Judge (Excise), Saharsa.

(Partha Sarthy, J)

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