

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62750 of 2024

Arising Out of PS. Case No.-267 Year-2024 Thana- BHAGWAN BAZAR District- Saran

Ramesh Kumar @ Ramesh Rai Son of Horil Ray Resident of Village- Daulat Ganj, P.S.- Bhagwan Bazar, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ajit Kumar Singh, Advocate
For the State : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-09-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 31 litres foreign liquor has been recovered from a motorcycle. Petitioner is alleged to be one of the persons who fled away from the place of occurrence.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner has falsely been implicated merely on suspicion. Petitioner is neither owner nor driver of the vehicle in question. Nothing has been recovered from the conscious possession of this petitioner. Petitioner has got one criminal antecedent of similar nature, in which he is already on bail.



5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation and the fact that nothing has been recovered from conscious possession of this petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Special Judge Excise, Saran at Chapra, in connection with Bhagwan Bazar P.S. Case No. 267 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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