

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66084 of 2024

Arising Out of PS. Case No.-165 Year-2022 Thana- ANDHRAMATH District- Madhubani

Alok Kumar Son of Jibachh Yadav Village- Chhatapur, Dhatta Tol, P.S.-
Andhramath, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Bharti

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Andhramath P.S. Case No. 165 of 2022, G.R. No. 1019 of 2022 registered for the offences punishable under Sections 272, 273, 34 of the IPC and Section 30(a) of Bihar Prohibition and Excise Act, 2018.

3. As per prosecution case, there is alleged recovery of total 141 litre illicit liquor from three motorcycles in question. It is alleged that local people disclosed the name of petitioner and others who fled away from the place of occurrence.

4. Learned counsel for the petitioner 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. Except disclosure of local people, there is nothing on record to connect the present petitioner with the alleged occurrence. He further submits that petitioner is not owner of any of the motorcycles in question from which alleged recovery has been made. Petitioner bears no criminal antecedent. No incriminating article has been recovered from possession of the petitioner. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

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 his 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) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Andhramath



P.S. Case No. 165 of 2022, G.R. No. 1019 of 2022, subject to
the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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