

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67126 of 2024

Arising Out of PS. Case No.-436 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

Anil Rai @ Anil Kumar Son of Lalan Rai R/o Village- Bahrampur, P.S.-
Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmveer Jha, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 21-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Baikunthpur P.S. Case No. 436 of 2023 dated 13.12.2023 for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2023.

3. As per the prosecution case, total 1079.52 litres of illicit foreign liquor was recovered from the tractor and the septic tank.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner was disclosed by the local



Chowkidar. The petitioner is not the owner of the seized vehicle. Nothing has been recovered from the possession of the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has three criminal antecedents in which he is on bail in all the cases as stated in para 3 of the bail petition. The petitioner is in custody since 31.07.2024. The co-accused has been granted anticipatory bail by this Court vide order dated 20.02.2024 passed in Cr. Misc. No. 7520 of 2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-XIII-cum-Special Excise Court No.1, Gopalganj in connection with Baikunthpur P.S. Case No. 436 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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