

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71750 of 2024

Arising Out of PS. Case No.-123 Year-2021 Thana- AMBA District- Aurangabad

Sudhir Kumar Son of Madhusudan Sharma, Village- Shahpur, Tikri Road,
Ward no. 14, Ps- Aurangabad town, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Amba P.S. Case No. 123 of 2021 dated 24.08.2021 instituted for
the offence punishable under Section 30(a) of Bihar Prohibition
And Excise Act, 2016.

3. Allegation is of recovery of total 24 litres country
made liquor from a motorcycle bearing Registration No.
BR26F2188.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that co-accused, Abhishek Kumar has
been arrested at the spot who disclosed the name of the petitioner.
Learned counsel for the petitioner submits that the



seized motorcycle does not belong to the petitioner. Petitioner is neither the driver nor the pillion rider of the said motorcycle. Lastly, it has been submitted that petitioner has no criminal antecedents.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Amba P.S. Case No. 123 of 2021, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No. 1, Aurangabad, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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