

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69534 of 2024

Arising Out of PS. Case No.-365 Year-2024 Thana- Excise P.S. District- Darbhanga

Md. Jaffar Son of Md. Ali Ahmad R/O Vill.- Jatmalpur, P.S.- Kalyanpur,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishor Prasad

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 05-10-2024 Heard the learned counsel for the petitioner and
learned counsel for the State.

2. The petitioner apprehends his arrest in connection with Excise Sadar P.S. Case No. 365 of 2024 (Prohibition P.S. Case No. 365 of 2024) registered for offences under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, 90 liters of illicit liquor kept hidden in a tempo has been recovered.

4. Learned counsel for the petitioner submits that petitioner is the owner of the commercial vehicle from which 90 liters of illicit liquor has been recovered. The vehicle was driven by the driver. He further submits that two co-accused persons have been granted regular bail vide order dated 14.08.2024



passed in Cr. Misc. No. 55559 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the fact that petitioner is the owner of the commercial vehicle and was not caught with the illicit liquor, this application for anticipatory bail is allowed.

7. Accordingly, let the petitioner, above-named, in the event of his arrest or surrender within four weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge-I (Excise Act), Darbhanga/concerned court below in connection with Excise Sadar P.S. Case No. 365 of 2024 (Prohibition P.S. Case No. 365 of 2024) subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application for anticipatory bail is allowed.

(Sandeep Kumar, J)

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