

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74358 of 2024

Arising Out of PS. Case No.-92 Year-2024 Thana- Excise P.S. District- Nawada

Ashish Kumar S/o- Ajay Yadav R/o - Bandaili Khurd, P.S - Kawakol, District
- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar .

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-11-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Excise P.S. Pakribarawan Case No. 92 of 2024 dated 26.04.2024 registered under Section 30(a) and 47 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case a total quantity of 2.250 liters of Indian Make Foreign liquor has been recovered from a blue-black colour TVS Apache motorcycle.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and he has not committed any offence in the manner alleged. The petitioner was not apprehended on the spot and his name transpired only because he is the registered owner of the motorcycle in question. The fact of the matter is that one of the family



members of the petitioner borrowed his motorcycle for some urgent work and the petitioner was not aware regarding illicit liquor being carried on his motorcycle. The illicit liquor has not been recovered from the conscious possession of the petitioner. The petitioner has got no criminal antecedent.

5. Regard being had to the submissions made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the conscious possession of the petitioner and the petitioner has got no criminal antecedent, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court-2nd, Nawada / concerned court in connection with Excise P.S. Pakribarawan Case No. 92 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

praful/-

(Anil Kumar Sinha, J)

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