

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71603 of 2024

Arising Out of PS. Case No.-254 Year-2024 Thana- GORAUL District- Vaishali

Priyanshu Kumar Son of Amarjeet Yadav @ Kamlesh Rai Resident of Village
-Chhaurahi, PS- Goraul (Katahara OP), Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radhe Shyam, Advocate

For the Opposite Party/s : Mr. Gulnar Begum, 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 Goraul (Katahara OP) P.S. Case No. 254 of 2024 dated 07.07.2024 instituted for the offence punishable under Section 317(5) of BNS , 2023 and Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The allegation is of recovery of total 21.480 litres foreign liquor from the back seat of Maruti Suzuki bearing Registration No. BR06R6096.

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 neither the petitioner is the owner of the said car nor he is driver. Learned counsel for the petitioner



submits that the petitioner has been made accused in this case only on the basis of disclosure made by *mahal Chaukidar*. Nothing has been recovered either from the conscious possession of the petitioner or from his house. There is no eye-witness to the occurrence. The petitioner has no concern with the seized articles or vehicle. 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 Goraul (Katahara OP) P.S. Case No. 254 of 2024, 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 Exclusive Special Excise -cum- Additional District and Sessions Judge, Vaishali at Hajipur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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