

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74805 of 2024

Arising Out of PS. Case No.-79 Year-2023 Thana- BHANGHA District- West Champaran

Angad Sah Son of Sonalal Sah @ Sonelal Sah R/o-Village- Sargatia, Police station- Gopalpur, District- west Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-11-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Bhangha P.S. Case no. 79 of 2023 registered under sections 272 and 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on the motorcycle in question being signaled to stop, it is stated that the accused abandoned the motorcycle and escaped. On search 9.6 litres of country liquor was recovered.

4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor does he have any concern with the seized articles or the motorcycle in question. Referring to the order of the learned trial Court it is submitted that the prosecution is relying on the sale letter



according to which purportedly the petitioner had purchased the motorcycle in question. It is categorically denied that the petitioner had purchased any motorcycle, leave alone the motorcycle in question. The petitioner has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., the motorcycle in question not being registered in the name of this petitioner together with the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bhangha P.S. Case no. 79 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Bettiah, West Champaran.

(Partha Sarthy, J)

Harsh/-

U		T	
---	--	---	--

