

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77001 of 2024

Arising Out of PS. Case No.-49 Year-2023 Thana- THAWE District- Gopalganj

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Rambabu Sah @ Rambabu Kumar Byahut Son of Shivji Prasad R/o-Village-
Lakri Dargah, P.S. -Badhariya, District -Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-11-2024

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 Thawe P.S. Case no. 49 of 2023, registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that on receiving information about illicit liquor being carried on a motorcycle, the motorcycle was stopped for checking. It is stated that the accused persons managed to escape. The petitioner was identified by the *choukidar* and the local villagers as one of the persons who managed to escape. 10 litres of country liquor was recovered from the vehicle in question.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession. The cause of false implication is his antecedents. He has no concern with the seized liquor nor with the motorcycle from which the accused are said to have escaped. He undertakes to cooperate in the case.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State, who submits that the petitioner is accused in as many as six cases of Bihar Prohibition and Excise Act, 2016 from before.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R, no incriminating article having been recovered from his possession and the petitioner not having any concern with the motorcycle in question, 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 Thawe P.S. Case no. 49 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 Additional



District and Sessions Judge-XIII-cum-Special Excise Court
no.-1, Gopalganj.

(Partha Sarthy, J)

Shiv/-

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