

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 75627 of 2024

Arising Out of PS. Case No.-97 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

Ajay Kumar Bhagat Son of Ramsharan Bhagat Resident of Village- Siswa
(Siswan), P.O.- Rampur Mina, P.S.- Baruraj, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate

For the Opposite Party/s : Mr. Chaubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-11-2024 Heard Mr. Priyesh Kumar, learned counsel for the
petitioner and Mr. Chaubey Jawahar, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sahebganj P.S. Case No. 97 of 2024 registered for the
offences punishable under Sections 272, 273, 34 of the IPC and
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 3615
illicit foreign liquor was recovered from different vehicles such
as Bolero, Scorpio, Tata Tanker, Endeavoury XLT and TVS
motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
Petitioner has no knowledge and concern with the alleged



recovery. Nothing incriminating has been recovered from the possession of the petitioner. The petitioner's name transpired as being owner of the seized commercial Tata Yodha Pick-up vehicle and he has no knowledge regarding the nature of goods kept in the vehicle. The petitioner has no criminal antecedent. There is no compliance of Section 100 Cr.P.C.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sahebganj P.S. Case No. 97 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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