

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78154 of 2024

Arising Out of PS. Case No.-115 Year-2024 Thana- DELHA District- Gaya

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Girjes Kumar @ Girjesh Kumar Son fo Indra Deva Yadav @ Indradev yadav
Resident of Village- Bhawanri Khurd, Harakura, P.S.- Fatehpur, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail arises out of Delha Police Station Case No. 115 of 2024, disclosing offence under Section 30 (a) of Bihar Prohibition and Excise Act, 2022.

3. The prosecution case, as per the First Information Report, is that on 13.05.2024, on the basis of confidential information, informant along with other police personnel reached at Chhotaki Nawada, Gandhi More, main road and started vehicle checking. During the course of checking, one motorcycle bearing Reg. No. BR02BD1706 was coming and on seeing the police party, driver of the motorcycle left the motorcycle and tried to flee away, but he was caught on



the spot, who disclosed his name as co-accused Anil Kumar. On search, 12 litres of Kingfisher Strong Premium Beer was recovered from the motorcycle.

4. Learned Counsel for the petitioner submits that he has falsely been implicated in this case. He further submits that at the time of occurrence motorcycle was being driven by his brother-in-law i.e., co-accused Anil kumar and the petitioner was not present at that time. He next submits that the name of petitioner has been dragged in this case only because he happens to be owner of the motorcycle. He also submits that petitioner is having no criminal antecedent.

5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that at the time of occurrence motorcycle was being driven by his brother-in-law i.e., co-accused Anil kumar, the petitioner was not present at that time and the petitioner is having no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Court No. IV, Gaya, in connection with Delha Police Station Case No. 115 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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