

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75358 of 2024

Arising Out of PS. Case No.-338 Year-2017 Thana- DARIYAPUR District- Saran

Harish Chandra @ Harish Chandara S/O Nand Kumar Rai R /O Village -
Manpur, P. S - Sonapur, District -Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramashray Roy, Advocate

For the Opposite Party/s : Ms.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-11-2024

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 Dariyapur P.S. Case no. 338 of 2017 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 18 litres of country liquor was recovered from a tempo and two persons were taken into custody. The persons taken into custody were the driver of the vehicle and one another passenger.

4. Learned counsel for the petitioner submits that from the contents of the F.I.R itself it would be evident that the petitioner was neither present at the place of occurrence nor any incriminating article has been recovered from his possession. The petitioner has been falsely implicated in the case only for



the reason that he happens to be the registered owner of the vehicle in question. He has no criminal antecedent and undertakes to cooperate in the case/trial.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., no incriminating article having been recovered from the petitioner's possession and 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 Dariyapur P.S. Case no. 338 of 2017 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 1st Exclusive Special Excise Court, Saran at Chapra.

(Partha Sarthy, J)

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