

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77717 of 2024

Arising Out of PS. Case No.-564 Year-2024 Thana- DAUDNAGAR District- Aurangabad

Jitendra Kumar Son of Raj Kumar Chaurasiya Resident of Village - Lotharwa
Nuru, P.O. and P.S. - Panki, District - Palamu (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alka Singh, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-11-2024 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 Daudnagar Police Station Case No. 564 of 2024, dated 10.09.2024, disclosing offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018 (hereinafter referred to as ‘the Act’).

3. The prosecution case, as per the First Information Report, is that the police got a secret information that wine was being carried on four wheeler (car). When informant along with police party proceeded towards the place of occurrence then upon seeing the police party one four wheeler was going in with speed and upon chase, the police found that the car was parked



near the bush. Upon search, the police recovered 223.5 litres of illicit foreign liquor from the said car. The said vehicle (car) belongs to the petitioner.

4. Learned Counsel for the petitioner submits that the petitioner has been made accused because he happens to be the owner of the said car. He further submits that car was being driven by the driver at the time of occurrence. He next submits that the petitioner being owner of the car was not aware illicit liquor being kept in the car by its driver. Petitioner is having no criminal antecedent.

5. Having heard learned Counsel for the parties concerned and taking into consideration the fact that petitioner is having no criminal antecedent and the car was being driven by the driver, 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.-2, Aurangabad, in connection with Daudnagar P.S. Case No. 564



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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