

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.76652 of 2024

Arising Out of PS. Case No.-346 Year-2024 Thana- Excise P.S. District- Nawada

Dharmveer Kumar S/O Karu Rajvanshi Resident of Village- Parmeshwar
Bigha, P.S.- Rajouli, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Adv.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 18-11-2024 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 Excise Police Station Case No. 346 of 2024, disclosing offence under Sections 30(a), 47 of the Bihar Prohibition and Excise Act, 2016.

3 As per the prosecution case, on 11.05.2024, the informant, along with other Excise Officials, were on patrolling duty, received a secret information that two persons on a motorcycle were going towards N.H.-20. When the informant along with Excise officials reached at the place of occurrence, they recovered 60 litres of countrymade liquor from the jacket



of the apprehended person namely Sachin Kumar and on search of motorcycle, 20 litre liquor has been recovered. i.e., total 80 litre country made liquor has been recovered.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case only on the basis of suspicion. He further submits that nothing has been recovered from the possession of the petitioner and/or from the house/vehicle of the petitioner. He next submits that the petitioner is neither the owner nor the driver of the seized motorcycle. He further alleged that the name of the petitioner transpired in this case on the basis of disclosure made by the apprehended accused person as the person who fled away. Petitioner is not having any criminal antecedent.

5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that nothing has been recovered from the possession of the petitioner and/or from the vehicle owned by him, 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 Exclusive Special Court Excise 2, Nawada, in connection with Excise Police Station Case No. 346 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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