

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80493 of 2024

Arising Out of PS. Case No.-132 Year-2021 Thana- KHAJEKALA District- Patna

Deepak Kumar S/O Binod Mahto @ Binod Kumar Resident of Neem Ghat
Khajekalan, P.S.- Khajekalan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-12-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Khajekalan PS case no. 132 of 2021, disclosing
offences punishable under Section 414 of the Indian Penal
Code and Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act, 2018.
3. The prosecution story, as per the First
Information report, is that on 30.04.2021, while the
informant was on patrolling duty, he reached at the place of
occurrence on secret information that illicit liquor was
being carried on Apache motorcycle and saw that two
persons were fleeing away leaving the motorcycle. On



search, 21 liters of countrymade liquor was recovered from the said motorcycle bearing registration no. BR 0DC-6592. Thereafter, the said motorcycle/ liquor was seized and seizure list was prepared.

4. Learned Counsel for the petitioner submits that the petitioner has been made accused due to the fact that he is the registered owner of the motorcycle. Petitioner has falsely been implicated in this case. He further submits that the alleged motorcycle was borrowed by his neighbour and when the petitioner asked to return, he told that the motorcycle was stolen.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the justification given by the petitioner, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six 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 Judge, Excise, Patna



City in connection with Khajekalan PS case no. 132 of 2021, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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