

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79102 of 2024

Arising Out of PS. Case No.-309 Year-2024 Thana- KOILWAR District- Bhojpur

Chandan Kumar @ Chandan Singh S/o- Late Banvir Singh @ Late Balbir Singh Resident of Village- Dhandiha PS- Koilwar District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar
For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 05-12-2024 1. 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 Koilwar Police Station Case No. 309 of 2024, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2022.
3. As per the FIR, 10 liters of illicit liquor has been recovered from the motorcycle of the petitioner.
4. Learned Counsel for the petitioner submits that the petitioner has been made accused merely because he happens to be the owner of the motorcycle. The petitioner is having tractors for ploughing the agricultural field and he is engaged in the hiring of the tractor. He handed over his motorcycle to his manager for serving food to the driver in the field and while



manager was coming, he was intercepted and illicit liquor has been recovered. According to the FIR, one person fled away from the spot. The petitioner was not aware about the illicit liquor being carried by the manager in the motorcycle.

5. Having regard 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 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 Excise Judge 2nd Bhojpur at Ara, in connection with Koilwar Police Station Case No. 309 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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