

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79142 of 2024

Arising Out of PS. Case No.-154 Year-2024 Thana- Excise P.S. District- Nalanda

Shubham Kumar Son of Shankar Prasad R/O Mohalla- Santar, P.S. and District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar, Advocate

For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 09-12-2024 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 Hilsa Excise Police Station Case No. 154 of 2024, disclosing offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution story, as per the First Information Report, is that total 64.260 liters of English wine of different brand have been recovered from a four wheeler bearing registration no. BR 01CY- 8388.
4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to high handedness of police. Learned Counsel further submits that no incriminating article has been recovered from the possession of



the petitioner. He next submits that petitioner is the resident of Lakhisarai and hired a driver for plying his vehicle and was not aware that driver kept illicit liquor in the car. He also submits that the petitioner was not present at the spot and he has got no criminal antecedent.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that car was being driven by the driver, 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 IVth Additional District & Sessions Judge-cum-Special Judge, Excise-II, Nalanda at Biharsharif in connection with Hilsa Excise Police Station Case No. 154 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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