

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77708 of 2024

Arising Out of PS. Case No.-39 Year-2022 Thana- HALSI District- Lakhisarai

Manoj Rawat Son of Bangali Rawat Resident of Mohalla Maharajganj, Near
Shiv Mandir, P.S.- Jamui, District – Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The State of Bihar, Halsi, Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, 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 Halsi Police Station Case No. 39 of 2022, disclosing offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018 (hereinafter referred to as ‘the Act’).

3. The allegation against the petitioner, as per the First Information Report, is that the police intercepted a Tempo bearing Reg. No. BR46B 6027 and recovered 66.750 litres of illicit liquor which was kept under the seat of the driver of the said Tempo, namely, Bipin Kumar who was arrested on the spot. The petitioner has been made accused because he happens to be the owner of the said Tempo.

4. Learned Counsel for the petitioner submits that the



petitioner is having no criminal antecedent and he has been made accused mainly because he is the owner of the said Tempo which was being run by his driver.

5. Having heard learned Counsel for the parties concerned and taking into consideration the fact that the Tempo is commercial vehicle which was being plied by his driver who was arrested on the spot and the petitioner is having no criminal antecedent, 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 Additional District & Session Judge IV-cum-Exclusive Special Excise Court-1, Lakhisarai, in connection with Halsi P.S. Case No. 39 of 2022 subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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