

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78509 of 2024

Arising Out of PS. Case No.-1459 Year-2024 Thana- Excise P.S. District- Muzaffarpur

Shoaib Raja, Son of Sikander Alam, Resident of Mohalla- Ward No. 5,
Basantpur, P.S. -Barsoi, District- Katihar,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar, Advocate
For the Opposite Party/s : Mr.Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 29-11-2024 Heard learned counsel for the petitioner and
Mr.Rajesh Kumar, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Excise P.S. Case No.1459 of 2024 instituted for the offence under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that 10 liters of illegal liquor was recovered from one E-Rickshaw. Md. Mustaque was apprehended. Petitioner is the owner of said E-Rickshaw.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this



case. It is further submitted that petitioner had given his E-Rickshaw to Md. Mustaque for plying it. He is having no knowledge about the alleged liquor. He has got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Excise P.S. Case No. 1459 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No. II, Muzaffarpur, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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