

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79085 of 2024

Arising Out of PS. Case No.-181 Year-2024 Thana- Mufassil District- Purnia

Prakash Kumar @ Prakash Kumar Das @ Prakash Das Son of Nago Das @
Nageshwar Das Resident of Chharpokhar, Tatma Tola, Ward No. 26, P.S. -
Khazanchi, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Adv.
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-12-2024 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 Mufassil Police Station Case No. 181 of 2024,
disclosing offences under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

3. The police intercepted one e-rickshaw and caught
one person and another person i.e. the petitioner succeeded in
fleeing away. The arrested accused person disclosed the name of
the petitioner who succeeded in fleeing away. On search total
58.06 litres illegal liquor was recovered from the e-rickshaw.

4. Learned Counsel for the petitioner submits that the



petitioner has been made accused on disclosure of his name by the arrested co-accused person. The e-rickshaw from where the illegal liquor has been recovered does not belong to the petitioner and he is not its owner.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is not the owner of the e-rickshaw and his name was disclosed by the arrested co-accused person, 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 Judge Excise Court No. I, Purnea, in connection with Mufassil Police Station Case No. 181 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Jyoti Kumari/-

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