

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78443 of 2024

Arising Out of PS. Case No.-289 Year-2024 Thana- HASPURA District- Aurangabad

Sheet Chaudhary S/O Rameshwar Chaudhary R/O Village- Koilwan, P.S.
Haspura, Dist.- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Adarsh Singh
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 04-12-2024 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 Haspura Police Station Case No. 289 of 2024, dated 21.09.2024, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that while the police was on patrolling, they saw two persons coming on a motorcycle having a bag between them and on seeing the police, they managed to flee away, leaving behind the motorcycle and the bag. The police seized the motorcycle and recovered 40 litres of illicit country-made liquor from a bag kept in the motorcycle.
4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner has got no criminal antecedent and he has been made accused in this case merely because he happens to be the registered owner of the motorcycle, in question. He further submits that one of the friends of the petitioner had borrowed the motorcycle of the petitioner for his personal work and the petitioner had no knowledge that illicit liquor was being transported on his motorcycle.

5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner has got no criminal antecedent and the justification of 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 Court No. II, Aurangabad, in connection with Haspura Police Station Case No. 289 of 2024, subject to the



condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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