

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78831 of 2024

Arising Out of PS. Case No.-399 Year-2024 Thana- SASARAM MUFFSIL District- Rohtas

Indal Kumar Son of Mathura Bind Resident of village -Banarasiya PS
-Sasaram (M) District -Rohtas

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Kant

For the Opposite Party/s : Mr.Kanhaiya Kishore (App.100)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-12-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Sasaram (M) P.S. Case No. 399 of 2024 registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act 2022.

3. As per the first information report on search of a motorcycle parked near Beda Railway Gumti one plastic sack containing 30 liters country made liquor kept in polly bags was recovered by the Police party.

4. Learned counsel for the petitioner submits that petitioner is innocent and nothing has been recovered from the possession of the petitioner. The illicit country made liquor has been recovered near Veda Railway Gumti, which is an open space accessible to everyone. The petitioner has been implicated only because he happens to be the registered owner of the motorcycle



in question which was parked by him near Veda Railway Gumti while he went to attend the call of nature. The petitioner has got no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the fact that petitioner is having no criminal antecedent and the motorcycle was parked near the railway gate which is an open space, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today 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 Excise Court No. 2 - cum- Additional District and Sessions Judge, Rohtas at Sasaram in connection with Sasaram (M) P.S. Case No. 399 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anil Kumar Sinha, J)

