

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79866 of 2024

Arising Out of PS. Case No.-255 Year-2024 Thana- UJIYARPUR District- Samastipur

Shankar Chaudhary S/o- Ramprit Chaudhary Resident of Village- Dadpur PS-
Bhagwanpur District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 13-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Ujiarpur P.S. Case No. 955 of 2024 registered for the offences punishable under Sections 30(a) and 41(i)(ii) of the Bihar Prohibition and Excise Act. .

3. The prosecution case, in short, is that total 485.865 litres illicit foreign liquor was recovered from the Scorpio vehicle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Petitioner has no knowledge and concern with the alleged recovery. Nothing incriminating has been recovered from the



possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner is the driver of the alleged vehicle and was not aware of the contents of the material loaded in the same. There is no compliance of Section 100 Cr.P.C. Other co-accused has been granted regular bail by this Court *vide* order dated 24.10.2024 in Cr. Misc. No. 76352 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ujiarpur P.S. Case No. 255 of 2024., subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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