

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79541 of 2024

Arising Out of PS. Case No.-129 Year-2022 Thana- PATNA CITY CHOWK District- Patna

Ramavtar Prasad Son of Late Vishwanath Prasad Resident of Mohalla-
Jhaugang, P.S.- Chouk, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-12-2024 Heard learned counsel appearing on
behalf of the petitioner and learned Additional
Public Prosecutor appearing on behalf of the State.

2. The petitioner seeks bail in connection
with Chowk P.S. Case No. 129 of 2022 registered
for the offences under Section 30 (a) of the Bihar
Prohibition and Excise Act.

3. The petitioner is named in the F.I.R.
being owner of three wheeler piaggio tempo with
registration no. BR 1 AF 2441.

4. The allegation against the petitioner is
to be engage in illegal trading/manufacturing of
illicit liquor, where, there is recovery of 68 litres of



IMFL/country made liquor.

5. Learned counsel appearing on behalf of the petitioner during course of argument draw attention of this court towards annexure no. 3 of the bail petition, which is notarized sale deed suggesting that vehicle in issue was sold to Dhirendra Prasad son of Ramnandan Singh resident of Noniya Bidha P.S. Hilsa, district Nalanda long back in the year 2012 and mere for the technical reason as registration no. of this vehicle still exist in the name of petitioner, he was implicated with the present case, otherwise being a man of clean antecedent.

6. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

7. In view of the facts and circumstances as mentioned above as recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner, where prima facie implication of petitioner appears as registered owner of the vehicle which was sold in year 2012, accordingly the petitioner above named, in the



event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Patna City/concerned Court below where the case is pending in connection with Chowk P.S. Case No. 129 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

U		T	
---	--	---	--

