

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80508 of 2024

Arising Out of PS. Case No.-290 Year-2019 Thana- NAWADA MUFFASIL District- Nawada

Bittu Kumar Son of Karu Mahto Resident of Village - Pharha, P.S. - Nemdar
Ganj, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sinha

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-12-2024 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 Muffasil Police Station Case No. 290 of 2019, dated 25.09.2019, disclosing offences under Section 30 (a) (d) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, during vehicle checking, stopped one van, but the driver tried to flee away, but the police apprehended the driver of the van and on search of the van, the police recovered a total quantity of 198 litres of illicit liquor from the said vehicle. The petitioner has been made accused in this case on the basis of the fact that he happens to be the owner of the vehicle, in question.



4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has been made accused in this case on the basis of the fact that he is the owner of the vehicle, in question. He further submits that the vehicle in question is a commercial vehicle and was plied by its driver on hire basis and the petitioner was not aware about the illicit liquor being carried in the vehicle in question by the driver. He further submits that the petitioner has got no criminal antecedent.
5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that the petitioner has got no criminal antecedent and the justification given by 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 six weeks from today, 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 2nd Additional Sessions Judge -cum- Special Judge, Excise, Nawada, in



connection with Muffasil Police Station Case No. 290 of
2019, subject to the condition laid down under Section
438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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