

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79491 of 2024

Arising Out of PS. Case No.-324 Year-2023 Thana- AAJAM NAGAR District- Katihar

Amit Kumar Mahaldar Son of Ravilal Mahaldar Resident of Village Parbheli,
P.S- Kadwa, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sah, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 29-11-2024 Heard learned counsel for the petitioner and Mr.
Abhay Kumar Roy, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Azamnagar P.S. Case No. 324 of 2023 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that on a bike altogether 20.910 liters of foreign liquor was recovered. It is alleged that petitioner is the owner of the said bike.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Learned counsel for the petitioner has submitted that no



one was apprehended from the place where the recovery of liquor has been made. Petitioner is owner of said bike and he had given his bike to his relative but he has no concern with the alleged liquor.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Azamnagar P.S. Case No. 324 of 2023, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-cum-Exclusie Special Excise Court No-II, Katihar subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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