

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79851 of 2024

Arising Out of PS. Case No.-88 Year-2024 Thana- Bahera District- Gaya

Vipin Kumar ,son of Upendra Prasad, Resident of Village Sewaichak, P.S.-
Dobhi, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioner and
Mr.Abhay Kumar, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bahera P.S. Case No. 88 of 2024 instituted for the offence under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Amendment Act.

3. The case of the prosecution is that from the bike of Shivan Singh, altogether 14.95 liters of foreign liquor was recovered. It is further alleged that one Amit Kumar who was working as liner, was also on a bike and from that bike, nothing was recovered. This petitioner is the owner of the bike which was being driven by Amit Kumar.

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 merely on presumption. Nothing has been recovered from his possession. He is having no criminal antecedent.

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 Bahera P.S. Case No. 88 of 2024, 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 Exclusive Special Excise Court No.V, Gaya, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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