

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82744 of 2024

Arising Out of PS. Case No.-349 Year-2024 Thana- DIDARGANJ District- Patna

Jaiprakash @ Jayprakash Singh S/O Baijnath Singh R/O Village- Sonawan,
P.S - Didarganj, District -Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmeshwar Vishwakarma
For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 217-12-2024
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 Didarganj Police Station Case No. 349 of 2024, dated 29.09.2024, disclosing offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

3. The prosecution case, as per the First Information Report, is that the police, on secret information that one person coming on a motorcycle, carrying illicit liquor, from Suraksha Bandh, reached at the place of occurrence and saw one person coming on a motorcycle and on seeing the police, he fled away leaving behind the motorcycle. On search, the police recovered 20 litres of illicit liquor from the motorcycle in question.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely because he happens to be the registered owner of the motorcycle in question. He further submits that the friend of the petitioner had borrowed the motorcycle for some urgent work and the petitioner had no knowledge about the illicit liquor being transported on his motorcycle. He further submits that the petitioner has got no criminal antecedent.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the justification given by the petitioner and the fact that the petitioner is having no criminal antecedent, 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 a period of four 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 Special Judge, Excise, Patna City in connection with Didarganj Police Station Case No. 349 of 2024, 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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