

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81289 of 2024

Arising Out of PS. Case No.-345 Year-2024 Thana- Daudnagar Excise District- Aurangabad

Anuj Ram Son of Late Makhan Ram Village- Manora, Guljar bigha, ward no. 11, P.S.- Obra, District- Aurangabad, Bihar

The State Of Bihar

Versus

... .. Petitioner/s

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Rupa Kumari
For the Opposite Party/s : Mr. Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 210-12-2024
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 Excise Daudnagar Police Station Case No. 345 of 2024, dated 03.10.2024, disclosing offence under Section 30(a)/32(3) of the Bihar Prohibition and Excise Act, 2018 (hereinafter referred to as ‘the Act’).

3. The prosecution case, as per the First Information Report, is that the police, on secret information that the petitioner is selling illicit liquor from his house, reached at the place of occurrence. Upon seeing the police party, one person sitting on the motorcycle, bearing registration no. BR26-C-1199, fled away leaving the motorcycle behind. Upon search, the police recovered 10 liters of country-made



illicit liquor kept in dicky of the motorcycle.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to suspicion. He next submits that the motorcycle, in question, does not belong to the petitioner and illicit liquor has not been recovered from the conscious possession of the petitioner and/or from the vehicle belonging to him.
5. Regards being had to the submission advanced by learned counsel for the parties and taking into consideration the fact that the petitioner is not the owner of the motorcycle, from where illicit liquor has been recovered, 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 four weeks, 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 Court No. 2, Aurangabad, in connection with Excise Daudnagar Police Station Case No. 345 of 2024, subject to the condition laid down under Section 438 (2) of the Code of



Criminal Procedure.

(Anil Kumar Sinha, J)

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