

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81401 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- MAIRWAN District- Siwan

Vishwajeet Kumar Son of Dinesh Prasad Resident of Village- Shadra
Ramdhani Road, P.s.- Malsalami, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr .Damodar Prasad Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Mairwan P.S. Case No. 09 of 2024 registered for the
offences punishable under Sections 30(a) and 41(i) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 785.640
liters liquor was recovered from Pick-up van.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
Petitioner has no knowledge and concern with the alleged
recovery. Nothing incriminating has been recovered from the
possession of the petitioner. It is submitted that petitionenr is the



driver of the vehicle in question and he has no knowledge regarding the nature of goods laden in the vehicle. There is no compliance of Section 100 Cr.P.C.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mairwan P.S. Case No. 09 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

U		T	
---	--	---	--

