

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84839 of 2024

Arising Out of PS. Case No.-517 Year-2021 Thana- BARHARA District- Bhojpur

Vijay Shankar Pandey S/O Late Sheo Naresh Pandey Resident of Mohalla-A/63, Housing Colony, Kankarbagh Near Panch Shiv Mandir, P.S-Kankarbagh, District- Patna, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Tiwary, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable u/s 30 (a) of Bihar Prohibition and Excise Act, 2018.

3. Altogether 120 liters of country made liquor is said to have been recovered from the motorcycle of the petitioner.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or any trade of liquor. He has been falsely implicated in this case. He was not apprehended on the spot and



his name transpired in the case only on the basis that he is the owner of the seized motorcycle. It is further submitted that his motorcycle was stolen before the incident and for that he had filed a FIR before the police. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below, where the case is pending/Successor court, in connection with Barhara P.S. Case No.517 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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