

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83002 of 2024

Arising Out of PS. Case No.-61 Year-2021 Thana- BYPASS District- Patna

Satish Kumar, S/o- Gorakh Nath Sah, R/o – Pratappur (Partappur) P.S - Awtar
Nagar, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and Mr.
Pramod Kumar Pandey, learned APP for the State.

2.The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with By-Pass P.S. Case No. 61 of 2021 instituted for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that altogether 40
liters of country made liquor was recovered from an E-rickshaw.
One Munna Kumar was apprehended. He told that the owner of
the E-rickshaw has given him the E-rickshaw on daily rent of
Rs. 370/-. Petitioner is the owner of E-rickshaw.

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. He has no concern with the alleged liquor. It is clear from the F.I.R. that Munna Kumar was driving the E-rickshaw. He was apprehended and he was himself admitted that the vehicle has been given to him by the owner to ply. Petitioner 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 By-pass P.S. Case No. 61 of 2021, 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 Court of Exclusive Special Court of Excise, Patna City, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

lata/-

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

