

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81623 of 2024

Arising Out of PS. Case No.-314 Year-2024 Thana- DIDARGANJ District- Patna

Prem Kumar Singh S/o- Late Om Prakash Singh Resident of Gyanchak
Sonawan P.S- Didargan, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-12-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. This application, for grant of anticipatory bail, arises out of Didarganj P.S. Case No. 314 of 2024, disclosing offences punishable under Section 30(a) and 37 of the Bihar Prohibition and Excise Act.

3. The prosecution story, as per the First Information Report, is that, the police, on 05.09.2024, during patrolling and vehicle checking received secret information that a person is coming from Gyan Chak on a motorcycle with liquors, reached at the place of occurrence and upon seeing the police, the person coming on the said motorcycle tried to flee away, but was apprehended by the police who disclosed his name as Kanhai Lal Yadav. On search, total 15 litres illicit country-made liquor



has been recovered.

4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case merely because he happens to be registered owner of the motorcycle in question. He further submits that co-accused Kanhai Lal Yadav had borrowed the motorcycle of the petitioner for going to market and the petitioner had no knowledge that illicit liquor was being transported on his motorcycle. He further submits that petitioner is having clean antecedent.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner has got no criminal antecedent and the justification given by the petitioner, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, above named, in the event of his arrest or surrender before the Court below within three 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, Patna City in connection with Didarganj P.S. Case No. 314 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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