

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84031 of 2024

Arising Out of PS. Case No.-245 Year-2024 Thana- Excise P.S. District- Gopalganj

Balindra Chaudhary Son of Late Vishwanath Chaudhary Resident of village-
Derwan, P.S- Gopalpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmveer, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-12-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Excise P.S. Case no.245 of 2024 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 9 litres of liquor was recovered from the motorcycle in question and the petitioner falsely implicated in the case because he happens to be registered owner of the same.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from his possession. So far as the motorcycle in question is concerned, he had already sold the same, however due to his error he has not got the registration certificate transferred in the name of the purchaser. The



petitioner has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations of recovery of 9 litres of liquor, the submissions made by learned counsel for the petitioner and specially the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Excise P.S. Case no.245 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge IV-cum-Exclusive Special Excise Court no.II, Gopalganj.

(Partha Sarthy, J)

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