

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82707 of 2024

Arising Out of PS. Case No.-151 Year-2024 Thana- Excise Benipatti District- Madhubani

Sitaram Yadav @ Sita Ram Yadav S/o- Kameshwar Yadav Village- Raghapur
Ps-Bishfi Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-12-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Benipatti Excise P.S. Case No. 151 of 2024 registered under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016 (Amendment Act-2018).

3. As per the first information report a total quantity of 01 liter and 665 ml of illicit liquor has been recovered from the dickey of Honda Shine motorcycle bearing registration no. BR-32AN-7683 and the Police arrested the co-accused Krishan Mohan Yadav.

4. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. He submits that the petitioner has been implicated only because he happens to be the registered owner of the motorcycle in question. He further



submits that on the date of occurrence the petitioner gave his motorcycle to his friend Krishan Mohan Yadav for some urgent work in good faith and he was not aware that illicit liquor was being carried on his motorcycle. The petitioner has got clean antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation and the fact that the petitioner is having no criminal antecedent, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge 2nd cum Special Judge, Excise Act, Madhubani in connection with Benipatti Excise P.S. Case No. 151 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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