

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82647 of 2024

Arising Out of PS. Case No.-330 Year-2024 Thana- DESARI District- Vaishali

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Ankaj Kumar S/O Yogendra Chaudhary R/O vill. - ward no 6, Murawatpur,
P.S - Desari,Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra
For the Opposite Party/s : Mr.Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 216-12-2024
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Desari Police Station Case No. 330 of 2024, dated 29.09.2024, disclosing offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The prosecution case, as per the First Information Report, is that on 29.09.2024, in the evening, the police, on secret information that one person is carrying illicit liquor on his scooty and moving towards Mahnar from Ganiyari Diyar, reached near Nayagaon and saw a scooty in abandoned condition. On search, the police recovered a total quantity of 40 liters of illicit country-made liquor from the said vehicle.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has not committed any offence in the manner alleged. He further submits that he has falsely been implicated in this case merely because he is the registered owner of the scooty in question. He further submits that the scooty was found in abandoned condition by the side of the road and the petitioner is having no criminal antecedent.
5. Regard being had to the submission made by the parties, taking into consideration the fact that scooty of the petitioner was found in abandoned condition by the side of the road and the petitioner is having no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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 Exclusive Special Excise Court No. I, Vaishali, at Hajipur, in connection with desari Police Station Case



No. 330 of 2024, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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