

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83832 of 2024

Arising Out of PS. Case No.-270 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

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Lakshman Kumar Yadav Son of Pawan Yadav R/o Village- Usrahi, Ward No. 4, PS- Deodha, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratnakar Jha, Advocate

For the Opposite Party/s : Ms.Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-12-2024 1. Heard learned Counsel for the petitioner and learned APP for the State.

2. This application, for grant of anticipatory bail, arises out of G.O. case no. 270 of 2021, disclosing offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. The prosecution story, in nutshell, is that on 10.09.2021, during patrolling near the Indo-Nepal border, the personnel of S.S.B. saw that one person on cycle and another on motorcycle were coming towards India from Nepal and upon seeing the S.S.B personnel, they fled away after leaving the motorcycle and the cycle. From motorcycle, 54 liters of illicit liquor has been recovered. It is alleged that the petitioner has been made accused on the basis of the fact that he happens to be



the registered owner of the motorcycle.

4. Learned Counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and the motorcycle in question has been borrowed by his friend. He further submits that the petitioner is not aware about the illicit liquor being carried in the motorcycle.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration 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, abovenamed, in the event of his arrest or surrender before the Court below within six 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with G.O. case no. 270 of 2021, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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