

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83707 of 2024

Arising Out of PS. Case No.-173 Year-2024 Thana- BARGAINIA District- Sitamarhi

Pappu Kumar Son of Nagendra Rai Resident of Village - Chhatauna, Pakri,
P.S. - Piprahi, District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-12-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Bairagania P.S. Case no. 173 of 2024, registered under sections 30(a) and 30(c) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 90 litres of liquor was recovered from the vehicle in question and the accused Avinash Kumar was taken into custody.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that he happens to be the registered owner of the vehicle in question. The accused Avinash Kumar, who was caught at the place of occurrence, happens to be the brother-in-law (*sala*) of



his brother and who had taken his motorcycle. The said Avinash Kumar has already been enlarged on regular bail in the learned trial Court. The petitioner has no criminal antecedent and undertakes to cooperate in the case.

5. The application for anticipatory 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 against the petitioner in the F.I.R, the F.I.R named accused Avinash Kumar already having been enlarged on regular bail by the learned trial Court and 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 Bairagania P.S. Case no. 173 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 Exclusive Special Excise Court-I, Sitamarhi.

(Partha Sarthy, J)

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