

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83939 of 2024

Arising Out of PS. Case No.-439 Year-2024 Thana- BARUN District- Aurangabad

Ankit Kumar S/O Raju Chaudhari @ Raju Chaudhary R/O Village- Barun,
P.S- Barun, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Nand Kumar, 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 grant of anticipatory bail apprehending his arrest in connection with Barun P.S.Case no.439 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, on a search being conducted while one person managed to escape, another was caught and from the motorcycle in question 16.74 litres of liquor was recovered. It is further stated that the accused who was caught disclosed that it was the petitioner who had escaped.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Neither the petitioner has been arrested at the spot nor any incriminating



article has been recovered from his possession. He has no concern either with the seized vehicle or the allegedly seized liquor. He has no criminal antecedent and undertakes to cooperate in the investigation/trial.

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

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., no incriminating article having been recovered from his possession and the petitioner having no concern with the seized article or vehicle together with the petitioner not having any criminal 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 Barun P.S.Case no.439 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 Special Judge, Excise I, Aurangabad.

(Partha Sarthy, J)

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