

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84351 of 2024

Arising Out of PS. Case No.-315 Year-2024 Thana- MOHANPUR District- Gaya

Lalu Kumar S/O Kamlesh Yadav R/O Village- Lamkani, Manjhgawan, P.S-
Mohanpur, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Singh

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-12-2024 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 Mohanpur Police Station Case No. 315 of 2024, dated 03.11.2024, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information, intercepted one motorcycle and on seeing the police, the person driving the motorcycle fled away leaving behind the motorcycle. The police seized the motorcycle and recovered 48.96 litres of illicit liquor from the motorcycle.
4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in



this case. He further submits that the petitioner has got no criminal antecedent and he has been made accused in this case merely because he happens to be the registered owner of the motorcycle, in question. He further submits that one of his friends had borrowed the motorcycle of the petitioner and the petitioner had no knowledge that illicit liquor was being transported on his motorcycle.

5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner has got no criminal antecedent and he has been made accused in this case merely because he happens to be the registered owner of the seized motorcycle, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the 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. V, Gaya, in connection with Mohanpur Police Station Case No. 315



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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