

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85551 of 2024

Arising Out of PS. Case No.-646 Year-2024 Thana- SIKARPUR District- West Champaran

Dhanesh Kumar S/O Yogendra Chaudhary R/O Village- Chinimil Gate, Ward
No. 1, Narkatiyaganj, P.S- Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioner and Mr.
Abhay Kumar, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Shikarpur P.S. Case No. 646 of 2024 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that two persons on a bike were carrying something on a white gunny bag. It is further alleged that both the persons fled away from the place of occurrence. From that gunny bag, altogether 41.04 liters of illicit liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He is the owner of the said bike. It has



been submitted by learned counsel for the petitioner that the said gunny bag was found near his bike and for that reason, he has falsely been implicated in this case. Nothing has been recovered either from his bike or from his possession. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Shikarpur P.S. Case No. 646 of 2024 he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court, Excise II, Bettiah, West Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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