

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85949 of 2024

Arising Out of PS. Case No.-709 Year-2024 Thana- DIGHA District- Patna

Wakil Thakur S/O Late Deo Dhari Thakur R/O- Navhi Tiskhora, P.S.-
Naubatpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Jiban Pd Singh, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-12-2024

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 Digha P.S. Case no. 709 of 2024 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016 and section 317(5) of the Bhartiya Nyay Sanhita.

3. As per the prosecution case, 4.125 litres of liquor was recovered from the motorcycle and the son of the petitioner was taken into custody.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession or from his vehicle. The



cause of his false implication is that he happens to be the registered owner of the vehicle in question. 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. specially 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 Digha P.S. Case no. 709 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 2nd, Patna.

(Partha Sarthy, J)

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