

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84335 of 2024

Arising Out of PS. Case No.-846 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Kundan Kumar S/o Mahesh Rai R/o Village- Shyamachak, P.S- Kajipur,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar
For the Opposite Party/s : Mr.Pushpa Sinha. 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-12-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Sadar (Hajipur) P.S. Case No. 846 of 2024 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2022 (Amended).

3. As per the first information report a total quantity of 150 liters of country made liquor has been recovered from a tempo bearing registration no. BR31PA1073.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case by the Police due to oblique motive. He submits that the local chowkidar has disclosed the name of the petitioner as one of the persons who fled away from the crime scene. He next submits that the petitioner is neither the owner nor the driver of the tempo in



question. He further submits that illicit liquor in question has not been recovered from the conscious possession and / or vehicle belonging to the petitioner. The petitioner has got no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation, the fact that petitioner is neither the owner nor the driver of the tempo in question and he is having no criminal antecedent, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No. 1 cum Additional District and Sessions Judge, Vaishali at Hajipur in connection with Sadar (Hajipur) P.S. Case No. 846 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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