

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86379 of 2024

Arising Out of PS. Case No.-110 Year-2024 Thana- SRIPUR District- Gopalganj

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Bittu Kumar S/O Jai Kishore Singh Resident of village- Rampur Kala, P.S.-
Phulwaria, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sumit Kumar Srivastva

For the Opposite Party/s : Mr.Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 13-12-2024 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 Sripur Police Station Case No. 110 of 2024, dated 01.07.2024, disclosing offences punishable 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 got secret information that one Scorpio vehicle was coming, loaded with illicit liquor, which was being escorted by four persons on two motorcycles. Upon this information, the police started the vehicle checking and saw that four persons, on two motorcycles, were coming and behind them, one white-coloured Scorpio vehicle was also there and upon seeing the police, the persons sitting on the motorcycles fled away. However,



the police, after chase, intercepted the Scorpio vehicle, but the persons sitting inside the Scorpio vehicle succeeded in fleeing away. On search, the police recovered 538.92 litres of illicit liquor from the Scorpio vehicle.

4. Learned Counsel for the petitioner submits that the petitioner has been made accused in this case on the basis of disclosure of his name by the Spy as a liner. The Scorpio vehicle, from where illicit liquor has been recovered, does not belong to the petitioner, as stated in paragraph 7 of this application.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the petitioner is neither the owner nor the driver of the Scorpio vehicle, from where illicit liquor has been recovered and he was not found sitting in the vehicle but was said to be liner, 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 Special Judge, Excise Court No. 1, Gopalganj, in connection with Sripur Police Station Case No. 110 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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