

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85952 of 2024

Arising Out of PS. Case No.-536 Year-2024 Thana- DAUDNAGAR District- Aurangabad

Kundan Kumar Son of Upendra Singh Resident of village - Umar Chak, Ward
No.- 23, P.S.- Daudnagar, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Anand, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, 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 Daudnagar P.S. Case no.536 of 2024 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, seeing the police personnel while the petitioner is said to have escaped, on search 50.4 litres of liquor was recovered from the vehicle.

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 Daudnagar P.S. Case no.536 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-II, Aurangabad.

(Partha Sarthy, J)

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