

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86765 of 2024

Arising Out of PS. Case No.-666 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

Sadhu Prasad S/O Gopal Prasad R/O Village- Hasanpura, P.S.- Kadrganj,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Excise (Bhabua) P.S. Case No. 666 of 2024 instituted for the offences punishable under Sections 30(a), 32(i), 32(iii), 41(i), 41(ii) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 318 litres of liquor has been recovered from tractor.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. It is further submitted that the name of the petitioner has been transpired only because he happens to



be the owner of the vehicle in question and has no knowledge regarding the goods loaded in the vehicle. The petitioner has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. The co-accused person has already been granted bail by this Court vide order dated 26.10.2024 passed in Cr. Misc. No. 77100 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise (Bhabua) P.S. Case No. 666 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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