

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86455 of 2023

Arising Out of PS. Case No.-477 Year-2023 Thana- BARUN District- Aurangabad

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PANKAJ KUMAR SON OF GHURA SINGH RESIDENT OF VILLAGE -
BAGNAHA, P.S. - BARUN, DISTRICT - AURANGABAD (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aman Vishal

For the Opposite Party/s : Mr.Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 31-01-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Barun P.S. Case No. 477 of 2023 dated 03.10.2023 registered under Section 30(c) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the First Information Report the Police on the basis of secret information conducted a raid near the house / sitting lounge of one Ramsundar Yadav and found two vehicles parked therein and upon seeing the Police party the persons sitting in the vehicles fled away but one person namely, Pappu Kumar was apprehended. Upon search of the sitting lounge of Ramsundar Yadav consisting of two rooms, the Police recovered a sack containing 481 empty bottles without caps; a sack containing 1800 empty packing boxes, 19 pieces of rapper roll



and 29 pieces of sticker roll from Maruti Suzuki Dezire Car and Hyundai Car. The aforesaid materials were being used in the manufacturing and transportation of illicit liquor.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of the fact that he happens to be the owner of the Hyundai Car which was seized near the house / sitting lounge of Ramsundar Yadav. He further submits that the co-accused / Subodh Kumar had borrowed the vehicle of the petitioner for his personal use and the petitioner was not aware of the fact that he parked the vehicle near the house of Ramsundar Yadav. Learned counsel next submits that no illicit liquor and / or any manufacturing materials have been recovered from the Car of the petitioner and some bottles and rappers of liquor have been recovered from the rooms and lounge of Ramsunder Yadav.

5. Regard being had to the submission made by the parties, taking into consideration the fact that petitioner is having no criminal antecedent, he is not named in the First Information Report but has been made accused being the owner of the Car which was recovered from the place of occurrence and the Car of the petitioner was borrowed by Subodh Kumar, 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. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. 1, Aurangabad (Bihar) in connection with Barun P.S. Case No. 477 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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