

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86493 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- RIGA District- Sitamarhi

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Aman Kumar SON OF Chhote Ram RESIDENT OF Village-Sonar, ward no.-
2, P.S- Riga, Distt-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 31-01-2024 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
Riga Police Station Case No. 63 of 2023, dated
09.02.2023, disclosing offence under Section 414 of the
Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2018 (hereinafter referred to
as ‘the Act’).
3. The prosecution case, as per the First Information Report,
is that the police intercepted a motorcycle and recovered
23.1 ltrs. of Nepali Saufi liquor and arrested one person,
namely, Saroj Kumar. The arrested co-accused persons
disclosed the name of the petitioner, who was sitting on



the motorcycle and succeeded in fleeing away.

4. Learned counsel for the petitioner submits that the petitioner is not the owner of the motorcycle, in question, and he has been made accused on the basis of disclosure of his name by the arrested co-accused persons. He next submits that illicit liquor has not been recovered from the conscious possession and/or vehicle belonging of the petitioner.
5. Regards being had to the submission made by the parties and taking into consideration the fact that the petitioner is not the owner of the motorcycle, illicit liquor has not been recovered from the conscious possession and/or vehicle belonging of the petitioner, 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 four weeks, 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 the learned Additional Sessions Judge-cum-Special Judge (Excise), Court No. I, Sitamarhi, in connection with Riga Police Station Case



No. 63 of 2023, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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