

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.101 of 2024

Arising Out of PS. Case No.-222 Year-2023 Thana- YADOPUR District- Gopalganj

Ramdev Thakur S/O Bagad Thakur R/O- Madhubani , Ps. Sangrampur, Dist. Motihari, East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Deepankar Raj, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-01-2024 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 Yadopur Police Station Case No. 222 of 2023, disclosing offences under Section 30(a) of the Bihar Prohibition & Excise Act, 2022.

3. The prosecution case, as per the First Information Report, is that on 30.09.2023 the police on the basis of secret information intercepted a motorcycle from where 45 liters of country made liquor has been recovered. The driver of the motorcycle succeeded in fleeing away.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has been made accused on the basis of the petitioner being the registered owner of the motorcycle. He next submits



that the motorcycle, in question, was borrowed by the friend of the petitioner for some urgent work and the petitioner was not aware about the illicit liquor being carried by him on his motorcycle. The petitioner is having no criminal antecedent.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the motorcycle, in question, was borrowed from the petitioner, I am inclined to grant petitioner the 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 District & Sessions Judge-II-cum-Spl, Excise Court No.-I, Gopalganj, in connection with Yadopur Police Station Case No. 222 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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