

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.183 of 2024

Arising Out of PS. Case No.-262 Year-2023 Thana- IMAMGANJ District- Gaya

Jhunu Das @ Jhunnu Das Son of Govind Das Resident of Village-
Purushottampur, Police Station- Imamganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 24-01-2024 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 Imamganj Police Station Case No. 262 of 2023, dated 10.10.2023, disclosing offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police intercepted a motorcycle, on which two persons were sitting and upon seeing the police, the persons riding on the motorcycle started fleeing away and the person, who was driving the motorcycle was apprehended by the police and the pillion rider succeeded in fleeing away. The apprehended accused person disclosed the name of the petitioner, who succeeded in



fleeing away. The police recovered 85 litres of illicit country-made liquor from the said motorcycle.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of disclosure of his name by he arrested co-accused person. He further submits that the motorcycle, in question, does not belong to the petitioner.
5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that the illicit liquor has not been recovered from the conscious possession and/or vehicle belonging to the petitioner and the name of the petitioner has been disclosed by the arrested co-accused person, 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 from today, 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 learned Exclusive Special Excise Judge, Court zno. II, Gaya, in connection with Imamganj Police Station Case No. 262 of 2023,



subject to the condition laid down under Section 438 (2)
of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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