

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3072 of 2025

Arising Out of PS. Case No.-1800 Year-2024 Thana- Excise P.S. District- Muzaffarpur

Ram Babu Choudhary Son of Late Mahadeo Choudhary R/O Vill.- Rampur
Kesho Malahi, P.S.- Paroo, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 19-02-2025 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 Excise Police Station Case No. 1800 of 2024, dated 05.10.2024, disclosing offence under Sections 30(a)/32(3) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information that the petitioner has brought a huge consignment of illicit liquor through a truck, reached at Damodarpur Aanganbari Government Building and saw a truck parked by the side of the road and some persons were standing there. On seeing the police, all persons, including a person, having the appearance of the petitioner, fled away. On search, the



police recovered 604.8 litres of illicit liquor from the truck.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on suspicion only inasmuch as it has been alleged that a person, having the appearance of the petitioner, fled away from the place of occurrence. He further submits that the petitioner is neither the owner nor the driver of the truck in question. He further submits that the petitioner has got no criminal antecedent.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner has got no criminal antecedent, his name transpired in this case on the basis of his appearance and the petitioner is neither the owner nor the driver of the truck, in question, 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 learned Exclusive Special Excise Court No. II, Muzaffarpur, in connection with Excise Police Station Case No. 1800 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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