

Arising Out of PS. Case No.-513 Year-2024 Thana- KANTI District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-05-2025

1. Heard learned Counsel for the petitioner and
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Kanti Police Station Case No. 513 of 2024, disclosing offences under Sections 317(5) of the BNS, 2023 and Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, on 19.09.2024, police received information about two vehicles transporting illegal liquor. During a vehicle check near Sanni Mandir, four suspects fled from the vehicles. Three were caught and identified as Chhotu Yadav, Mukesh Kumar, and Guddu Kumar Ram. A total of 468 liters of illicit foreign liquor was recovered—43.2 liters from vehicle BR29PA-4019 and 424.8 liters from



BR56A-5101. The petitioner is alleged to be the owner of BR29PA-4019.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and all the allegations levelled against the petitioner are wrong, false and fabricated. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has been made accused merely on the basis of his being the registered owner of the seized Scorpio vehicle bearing no. BR29PA-4019 which he had given to the driver. Petitioner is having no criminal antecedent.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent and he has been made accused on the basis of his being the registered owner of the seized vehicle which he had given to the driver, 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 Judge, Excise, Court No. II, Muzaffarpur, in connection with Kanti Police Station Case No. 513 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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