

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70644 of 2024

Arising Out of PS. Case No.-112 Year-2024 Thana- Excise P.S. District- Aurangabad

Prem Prakash Son of Awadhesh Prasad Resident of Village- Baliya, P.S-
Amba, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rupa Kumari, Adv

For the Opposite Party/s : Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 17-01-2025 Heard learned Counsel for the petitioner and Learned
APP for the State.

2. The petitioner apprehends his arrest in connection with
Excise P.S. Case No. 112 of 2024 dated 12.02.2024 instituted for the
offences punishable under Section 30(a), 32(2) and 32(3) of the Bihar
Prohibition and Excise Act, 2018

3. As per the prosecution case, F.I.R. has been lodged
against two named accused persons including the present petitioner
against whom there is an allegation of recovery of 34.560 litre of
illicit liquor from the plastic bag which was tied at the back of the
bike and 5.400 litre of illicit liquor from the dicky of the alleged bike
bearing Registration No. BR-26S-8175.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He further submits
that he has clean antecedent. He further submits that though the



petitioner is the registered owner of the bike bearing registration no. BR-26S-8175 but he has given his bike to his friend on the pretext of some other purpose. Moreover petitioner was not apprehended rather his friend was apprehended from the spot. The allegation against the petitioner is only that he is the registered owner of the bike bearing registration no. BR-26S-8175.

5. Learned APP for the State opposes the prayer for bail of the petitioner

6. From perusal of the F.I.R. and impugned order dated 20.08.2022, it appears that the petitioner is the owner of the bike bearing registration no. BR-26S-8175 as well as the fact that he is named in the FIR, so, considering the aforesaid facts and circumstances of the case and the submissions made on behalf of the petitioner, I am not inclined to grant bail to the petitioner.

7. Accordingly, the bail application of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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