

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78569 of 2024

Arising Out of PS. Case No.-215 Year-2024 Thana- MANSI District- Khagaria

1. Naresh Kumar Jha Son of Krishna Kumar Jha Resident of Village - Kanwara, P.S. - Bhupana, District - Faridabad (Hariyana)
2. Pankaj Kumar Son of Bihari Rai Resident of Village - Dadpur Chaknur Ward No.12, P.S. - Muffasil, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ajay Kumar, Advocate
For the State	:	Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-01-2025 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 30(a), 32(1), 32(2) and 41 of the Bihar Prohibition and Excise (Amendment) Act.

3. As per prosecution case, 3557.520 litres illicit liquor has been recovered from a vehicle. These petitioners are alleged to be the intended purchasers of the consignment.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are innocent and have falsely been implicated in this case. No incriminating article has been recovered from conscious possession of these petitioners. Petitioners are neither drivers nor owners of the vehicle from



which illicit liquor has been recovered. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the fact that no incriminating article has been recovered from the possession of these petitioners, petitioners are neither owner nor driver of the vehicle in question and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Khagariya, in connection with Manasi P.S. Case No. 215 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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