

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85621 of 2024

Arising Out of PS. Case No.-291 Year-2024 Thana- PUPRI District- Sitamarhi

Rambabu Mukhiya Son of Kishandev Mukhiya Resident of Village- Jaitpur,
P.S- Pupri, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurav Anand, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-01-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Pupri P.S. Case no. 291 of 2024 registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that two persons were coming. While one was walking, the other was on a motorcycle. On being confronted the person on the motorcycle managed to escape. On search, the person who was carrying a plastic container on his head, 9 litres of country liquor was recovered from the same. 47.1 litres of country liquor was recovered from the motorcycle in question. The person who was caught disclosed that it was the petitioner who was on the motorcycle and who had managed to escape.



4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. Referring to statement made in paragraph no. 6 it is submitted that he is not the owner of the seized motorcycle. The petitioner has no antecedent under the Bihar Prohibition and Excise Act, 2016.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R., the petitioner not having been arrested at the spot and not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Pupri P.S. Case no. 291 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Exclusive Excise Court-II, Sitamarhi.

(Partha Sarthy, J)

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