

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84920 of 2024

Arising Out of PS. Case No.-353 Year-2024 Thana- LAURIA District- West Champaran

Nandlal Sah S/o- Late Chandrika Sah Village- Kukura PS-Sikarpur Distt-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-01-2025 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 Lauriya Police Station Case No. 353 of 2024, dated 17.10.2024, disclosing offence under Sections 30 (a)/41(1) 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 there is possibility of illicit liquor on a pick up van, loaded with bananas, reached the place of occurrence and saw a pick up van coming, loaded with bananas and on seeing the police, the driver of the said pick up van fled away. On search of the pick up van, the police recovered 1033.68 litres of illicit foreign liquor.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submit that during the investigation, co-accused Manish Sah was arrested by the police and he disclosed the name of the petitioner. He further submits that the petitioner is neither the driver nor the owner of the pick up van in question and 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 and he is neither the owner nor the driver of the pick up van 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 a period of four weeks from today, 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-II, West Champaran, at Bettiah, in connection with Lauriya Police Station Case



No. 353 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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