

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84891 of 2024

Arising Out of PS. Case No.-671 Year-2024 Thana- AURANGABAD TOWN District-
Aurangabad

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Sushil Kumar Son of Hari Narayan Singh Yadav Resident of Village-
Gajadhar Bigha, P.S.- Aurangabad(Muffasil), District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-01-2025 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Aurangabad (Town) PS case no. 671 of 2024,
disclosing offences punishable under Section 30(a) of Bihar
Prohibition and Excise (Amendment) Act.
3. The prosecution story, as per the First Information
report, is that on 20.09.2024, on secret information, police
seized one motorcycle bearing registration no. BR 26F-3154
and from the said motorcycle, recovered 34.560 liters of illicit
English liquor.
4. Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case merely



because he happens to be the owner of the alleged motorcycle, however he is not named in the First Information Report. He further submits that the motorcycle of the petitioner was borrowed by co-accused for bringing medicine.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that though the illicit liquor has been recovered from the motorcycle of the petitioner but at the time of seizure, it was being driven by co-accused, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six 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 Special Judge, Excise Court No. 1, Aurangabad in connection with Aurangabad (Town) PS case no. 671 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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