

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87330 of 2024

Arising Out of PS. Case No.-407 Year-2024 Thana- BHAGWAN BAZAR District- Saran

Bhikhari Choudhary S/o- Late Narendra Choudhary Mohalla- Daulatganj PS-
Bhagwan Bazar, District-Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tejpratap Singh

For the Opposite Party/s : Mr. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 20-01-2025 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 Bhagwan Bazar Police Station Case No. 407 of
2024, disclosing offences under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2018.

3. As per the prosecution case, on 09.08.2024 at about
3:45 pm, the informant reached Naviganj and saw one young
person coming on motorcycle with a plastic bag. Informant gave
signal to stop but the person fled away leaving the motorcycle.
On search, informant found 20 liters of illicit liquor kept in the
plastic bag.

4. Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case merely
on the basis of suspicion. Petitioner had given his motorcycle to



Rahul Mehto on his demand for purchasing medicine for his ailing mother. Petitioner has no knowledge about the occurrence and he has been made accused merely on the ground of his being the owner of the seized motorcycle.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner had given his motorcycle to Rahul Mehto for purchase of medicine and he has been made accused on the basis of his being the owner of the seized motorcycle, 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 four 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 Act 1st, Saran at Chapra, in connection with Bhagwan Bazar Police Station Case No. 407 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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