

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87966 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- VISHAMBHARPUR District- Gopalganj

Bhola Prasad Son of Late Basudev Prasad Resident of Village - Khaira Tola
Nautan, P.S.- Nautan, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Adv.
For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Vishambharpur P.S. Case No. 21 of 2024 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that on a bike, 99 liter of country made liquor was recovered and petitioner is the owner of the said bike.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is also submitted that his bike was stolen on 08.12.2023, for which he has filed a complaint petition which was converted



into FIR under Section 156 sub Clause-3 of the Cr.P.C. The bike was stolen on 08.12.2023, whereas, the seizure was made on 25.02.2024. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State opposes the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Vishambharpur P.S. Case No. 21 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-IV-cum-Exclusive Special Excise Court No. II, Gopalganj subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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