

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88349 of 2024

Arising Out of PS. Case No.-1918 Year-2024 Thana- Excise P.S. District- Muzaffarpur

Santosh Kumar Son of Ajodhi Sah @ Jodhi Sah R/o Bajrang Purab Gali
Dumari, P.S- Sadar, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Excise P.S. Case No. 1918 of 2024 registered for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, there is alleged recovery of 5.4 liters of illicit foreign liquor from a scooty which was parked near the house of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. He has falsely been implicated in this case and he bears no criminal antecedent. Learned counsel further submits that the house of the petitioner is situated in town where several



vehicles are parked and the petitioner cannot be held liable for vehicles parked near his house and in this way, no offence is made out against the petitioner. It is further submitted that the petitioner is neither owner nor driver of the said scooty.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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 Exclusive Special Judge, Excise Court No.II, Muzaffarpur, in connection with Excise P.S. Case No. 1918 of 2024, subject to the conditions as laid down under Section 482 of the BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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