

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86297 of 2024

Arising Out of PS. Case No.-128 Year-2024 Thana- GOPALPUR District- Bhagalpur

Ashok Kumar Mandal @ Ashok Mandal Son of Dashrath Prasad Mandal
Resident of village - Teentega Karari, Police Station - Gopalpur, District –
Bhagalpur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv

For the Opposite Party/s : Mr. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-01-2025 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 Gopalpur Police Station Case No. 128 of 2024, dated 06.04.2024, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. The prosecution case, the police intercepted an electric vehicle (Toto) on 06.02.2024 and apprehended two persons along with 75 litres of illicit liquor which was kept in the vehicle (Toto).

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and he has been made accused in this case on the basis of being an owner of the said vehicle bearing registration no. BR10SV3523. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The *Toto* was being plied on hire basis by its driver and co-driver



and at the time of occurrence both were arrested along with the illicit liquor. It is further submitted that the petitioner was not aware about the illicit liquor being carried on the vehicle in question.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner apprehends his arrest on the basis of being an owner of the said vehicle (Toto) which was being plied on hire basis by its driver and co-driver, 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) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- IX, Bhagalpur in connection with Gopalpur Police Station Case No. 128 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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