

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90341 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- CHANDRAMANDI District- Jamui

Ashok Kumar Yadav @ Ashok Yadav S/O Bachandeo Yadav R/O Vill.-
Barmasiya, P.S.- Jhajha, Dist.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanju Singh, Advocate

For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 30-01-2025 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Chandramandi PS case no. 79 of 2024, disclosing
offences punishable under Section 30(a) of Bihar Prohibition
and Excise Act.
3. The prosecution story, as per the First Information
report, is that total 42 liters of illicit liquor has been recovered
from the motorcycle of the petitioner.
4. Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case on account of
being the owner of one of the recovered motorcycle, however
the said motorcycle was stolen one day prior to the occurrence.
He further submits that the petitioner lodged the First
Information Report bearing Jhajha PS Case No. 209 of 2024



regarding the theft of his motorcycle on 22.05.2024. Petitioner is stated to be having no criminal antecedent.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that motorcycle of the petitioner was stolen prior to the date of occurrence i.e. on 22.05.2024, for which, the petitioner lodged the F.I.R. as also the fact that petitioner is having no criminal antecedent, 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 Exclusive Excise Court No. 1, Jamui in connection with Chandramandi PS case no. 79 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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